



FEDERAL BUREAU OF INVESTIGATION

# **SURREPTITIOUS ENTRIES**

## **PART 4 OF 23**

**FILE NUMBER : 62-117-166**

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAR 24 1976

TELETYPE

NR 004 KC CODE

4:42 PM NITEL 03-24-76 WRS

TO: DIRECTOR,  
ATTN: INTD, IS-3 SECTION

FROM: KANSAS CITY

REQUEST OF THE ASSISTANT ATTORNEY  
GENERAL, CIVIL RIGHTS DIV., FOR INFORMATION  
CONCERNING SURREPTITIOUS ENTRIES

I HAVE NO KNOWLEDGE OF ANY BREAK-INS OR SURREPTITIOUS  
ENTRIES PERFORMED BY BUREAU AGENTS OR BY OTHERS WITH PRIOR  
OR SUBSEQUENT KNOWLEDGE BY FBI AGENTS SINCE JANUARY 1, 1966.

END

HOLD

Assoc. Dir.	_____
Dep. A.D. Adm.	_____
Dep. A.D. Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	<u>RM</u>
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

*C. J. Kelly*  
*RM*

*Is - 3 Section*



*6/17/01*

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-15-92 BY SP4 JRM/cal

FOUR A. ENVELOPE

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAR 24 1976

TELETYPE

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	<u>TH/ECI</u>
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

NR004 KX CODE

5:15 PM NITEL MARCH 24, 1976 WEH

TO:DIRECTOR, FBI (66-8160)

FROM:KNOXVILLE (66-813)

SURREPTITIOUS ENTRIES.


JUNE.

RE AIRTEL FROM DIRECTOR TO ALL FIELD OFFICES

DATED MARCH 18, 1976.

I HAVE NO KNOWLEDGE OF ANY SURREPTITIOUS ENTRIES  
AS DESCRIBED IN REFERENCED AIRTEL - HAROLD C. SWANSON, SAC.  
END.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-15-82 BY SP4JRM/cal

*Casey*  
*IS-3, Sect*  
**6/17/76** 

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAR 25 1976

TELETYPE

NY 195

NR022 NY CODE

10:50PM NITEL 3-25-76 JPZ

TO: DIRECTOR, FBI

FROM: SAC PHILIP A. MC NIFF, ADMINISTRATIVE DIVISION,  
NEW YORK OFFICE

ATTN: INTD, IS - 3 SECTION

J U N E

REQUEST OF THE ASSISTANT ATTORNEY GENERAL, CIVIL RIGHTS  
DIVISION, FOR INFORMATION CONCERNING SURREPTITIOUS ENTRIES.

REBUAIRTEL, MARCH 18, 1976.

I HAVE NO KNOWLEDGE, DIRECT OR INDIRECT, OF ENTRY ACTIVITY  
IN CONNECTION WITH INSTALLATIONS OF ELECTRONIC SURVEILLANCES,  
FEASIBILITY SURVEYS, AND ENTRIES TO COLLECT INFORMATION.

END

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-15-82 BY SP4 JR m/cal

(6/17/10)

Assoc. Dir. \_\_\_\_\_  
Dep.-A.D.-Adm. \_\_\_\_\_  
Dep.-A.D.-Inv. \_\_\_\_\_  
Asst. Dir.: \_\_\_\_\_  
Admin. \_\_\_\_\_  
Comp. Syst. \_\_\_\_\_  
Ext. Affairs \_\_\_\_\_  
Files & Com. \_\_\_\_\_  
Gen. Inv. \_\_\_\_\_  
Ident. \_\_\_\_\_  
Inspection \_\_\_\_\_  
Intell. \_\_\_\_\_  
Laboratory \_\_\_\_\_  
Plan. & Eval. \_\_\_\_\_  
Spec. Inv. \_\_\_\_\_  
Training \_\_\_\_\_  
Legal Coun. \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_  
Director Sec'y \_\_\_\_\_

*Copy to*  
*IS-3*  
*um 4/1/76*

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAR 30 1976

TELETYPE *740*

Assoc. Dir.	_____
Dep. A.D. - Adm.	_____
Dep. A.D. - Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

NY330

NR035 NY CODE

11:25PM NITEL MARCH 29, 1976 GBM

TO: DIRECTOR, FBI

FROM: SAC R. C. DENZ, CI DIVISION, NYO

J U N E

ATTN: INTD, IS-3 SECTION


REQUEST OF THE ASSISTANT ATTORNEY GENERAL, CIVIL RIGHTS  
DIVISION, FOR INFORMATION CONCERNING SURREPTITIOUS ENTRIES.

I CAN RECALL NO PERSONAL KNOWLEDGE OF SUCH INFORMATION  
OTHER THAN THAT GAINED FROM THE NYO'S SPECIFIC RESPONSES TO  
RECENT FBI HEADQUARTER'S REQUEST FOR INFORMATION IN THIS  
MATTER.

END.

*(6/7/10)*

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-15-82 BY SP4JRM/cal



FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAR 30 1976  
LOW  
TELETYPE

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

NY539

NR004 NY CODE

904AM NITEL 3-29-76 SENT 3-30-76 PAC  
TO DIRECTOR

FROM SAC THOMAS J. EMERY

SURREPTITIOUS ENTRIES

REBUAIRTEL MARCH EIGHTEEN, SEVENTYSIX.

SENDER HAS NO RECOLLECTION OR OTHER  
KNOWLEDGE PERTINENT TO INQUIRY IN REAIRTEL.

END

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-15-82 BY SP4JRM/cal

*(6/7/10)*  


FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

NY 196

MAR 25 1976

TELETYPE

NR023 NY CODE

10:53PM NITEL 3-25-76 JPZ

TO: DIRECTOR, FBI

FROM: SAC WILLIAM F. BEANE, NEW YORK OFFICE

ATTN: INTD, IS-3 SECTION

JUNE; REQUEST OF THE ASSISTANT ATTORNEY GENERAL, CIVIL  
RIGHTS DIVISION, FOR INFORMATION CONCERNING SURREPTITIOUS  
ENTRIES

REBUREAUAIRTEL TO SAC, ALBANY, MARCH 18, 1976, CAPTIONED  
"SURREPTITIOUS ENTRIES".

TO THE BEST OF MY RECOLLECTION, I HAVE NO KNOWLEDGE,  
EITHER DIRECT OR INDIRECT, CONCERNING ANY BREAKINS OR  
SURREPTITIOUS ENTRIES PERFORMED BY BUREAU AGENTS OR BY  
OTHERS SINCE JANUARY 1, 1966.  
END.

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

*Callahan*  
IS-30  
4835

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-15-82 BY SP4JRM/cal

(6/7/10)



FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAR 23 1976

TELETYPE

NR 002 NF CODE

330PM NITEL MARCH 23, 1976 KWD

TO DIRECTOR (66-8160)

FROM NORFOLK

JUNE

ATTENTION: INTD, IS-3 SECTION.

REQUEST OF THE ASSISTANT ATTORNEY GENERAL, CIVIL RIGHTS  
DIVISION, FOR INFORMATION CONCERNING SURREPTITIOUS ENTRIES.

REBUARITEL MARCH 18, 1976.

I HAVE NO KNOWLEDGE WHATSOEVER OF ANY BREAK-INS OR  
SURREPTITIOUS ENTRIES PERFORMED BY BUREAU AGENTS OR OTHERS  
SINCE JANUARY 1, 1966.

SIGNED: HERBERT D. CLOUGH, JR.

NORFOLK DIVISION

END

FOD FBIHQ

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-15-82 BY SP4JRM/cal

ROUTE IN ENVELOPE

Assoc. Dir.	_____
Dep. A.D. Adm.	_____
Dep. A.D. Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	<i>Timothy</i>
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

IS-3

4825

*Cassidy*  
*RPT*



*W/iles*



NY 307

NR)10 NY CODED

8:53 P.M. NITEL MARCH 29, 1976 GBM

TO: DIRECTOR, FBI (66-8160)  
(ATT: INTD, IS -3 SECTION)

FROM: ADIC J. WALLACE LA PRADE

JUNE

RE: SURREPTITIOUS ENTRIES

I HAVE NO PERSONAL KNOWLEDGE INDEPENDENT OF THAT  
GAINED AS THE RESULT OF THE NEW YORK OFFICE'S RESPONSES TO  
FBI HEADQUARTERS CONCERNING SURREPTITIOUS ENTRIES.  
END.

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAR 29 1976

TELETYPE

Assoc. Dir. \_\_\_\_\_  
Dep. A.D. Adm. \_\_\_\_\_  
Dep. A.D. Inv. \_\_\_\_\_  
Asst. Dir.: \_\_\_\_\_  
Admin. \_\_\_\_\_  
Comp. Syst. \_\_\_\_\_  
Ext. Affairs \_\_\_\_\_  
Files & Com. \_\_\_\_\_  
Gen. Inv. \_\_\_\_\_  
Ident. \_\_\_\_\_  
Inspection \_\_\_\_\_  
Intell. *Tush* \_\_\_\_\_  
Laboratory \_\_\_\_\_  
Plan. & Eval. \_\_\_\_\_  
Spec. Inv. \_\_\_\_\_  
Training \_\_\_\_\_  
Legal Coun. \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_  
Director's Sec'y \_\_\_\_\_

*C. J. Kelly*

✓ IS-3

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-15-82 BY SP4 JR m/cal

*6/17/10*



NOTED IN 100-100000

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

APR 05 1976  
*SNO*  
TELETYPE

NY 583

NR029 NY CODED

4:26PM NITEL APRIL 5, 1976 CRG

TO: DIRECTOR, FBI

FROM: ADIC, NEW YORK

A T T E N T I O N: INTD-IS-3 SECTION

REQUEST OF THE ASSISTANT ATTORNEY GENERAL; CIVIL RIGHTS DIVISION  
FOR INFORMATION CONCERNING SURREPTITIOUS ENTRIES

SAC JAMES O. INGRAM

INTERNAL SECURITY DIVISION

NEW YORK OFFICE

I HAVE NO RECOLLECTION OF EVER AUTHORIZING A SURREPTITIOUS ENTRY. I HAVE IN MY PRESENT CAPACITY AS SAC, INTERNAL SECURITY DIVISION, NEW YORK OFFICE, APPROVED COMMUNICATIONS FORWARDING BACKGROUND ON ENTRIES CONDUCTED BY NEW YORK OFFICE PERSONNEL IN THE PAST. THESE COMMUNICATIONS WERE SUBMITTED TO FBIHQ IN RESPONSE TO REQUESTS OF THE UNITED STATES DEPARTMENT OF JUSTICE. END.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-13-82 BY SP4JRM/cal

(6/17/01)

cc - agn. vlu.

Assoc. Dir.	_____
Dep. A.D. Adm.	_____
Dep. A.D. Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

① *Copy*  
IS-2

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAR 30 1976

TELETYPE

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

SF NR 533

NR 016 SF CODE

9:05PM NITEL MARCH 29, 1976, MJE

TO: DIRECTOR (66-8160)

FROM: SAN FRANCISCO

ATTN: INTD, IS-3 SECTION

SURREPTITIOUS ENTRIES

RE BUREAU AIRTEL TO ALL OFFICES, MARCH 18, 1976.

I HAVE NO KNOWLEDGE OF ANY SUCH ACTIVITIES AS  
MENTIONED IN REFERENCED BUREAU AIRTEL.

END

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-18-82 BY SP4 JRM/cal

(4/7/10)



FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAR 25 1976

TELETYPE

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	<u>TR/ER</u>
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

NR008 SL CODED

4:40PM NITEL 3-25-76 TJO

TO DIRECTOR (66-8160)

(ATTN: INTD, IS-3 SECTION)

FROM ST. LOUIS

SURREPTITIOUS ENTRIES.

RE BUREAU AIRTEL TO ALBANY, MARCH 18, 1976.

I HAVE NO KNOWLEDGE OF SURREPTITIOUS ENTRIES SINCE  
JANUARY 1, 1966.

END

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-15-82 BY SP4 JRM/cal

(6/17/10)

ROUTE IN ENVELOPE

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAR 26 1976

TELETYPE

Assoc. Dir.	_____
Dep. A.D. - Adm.	_____
Dep. A.D. - Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

NR 002 SU PLAIN

SENT 155 AM MARCH 26, 1976 NITEL MARCH 25, 1976 CXV

TO: DIRECTOR, FBI (66-8160)

ATTN: INTD, IS-3 SECTION

FROM: SALT LAKE CITY

✓ Cassidy

REQUEST OF THE ASSISTANT ATTORNEY GENERAL, CIVIL RIGHTS  
DIVISION, FOR INFORMATION CONCERNING SURREPTITIOUS ENTRIES.

I HAVE NO INDEPENDENT KNOWLEDGE OF SURREPTITIOUS ENTRIES  
BY FBI PERSONNEL SUBSEQUENT TO JANUARY 1, 1966.  
END.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-15-82 BY SP4 JRM/cal

(6/17/82)



FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAR 26 1976

TELETYPE

Assoc. Dir.	_____
Dep. A.D. Adm.	_____
Dep. A.D. Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intel.	<u>TH/PA</u>
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

NR 045 SA CODE

5:20 PM NITEL MARCH 26, 1976 RWS

TO DIRECTOR (66-8160)

FROM SAN ANTONIO

ATTN: INTD, IS - 3 SECTION.

REQUEST OF THE ASSISTANT ATTORNEY GENERAL, CIVIL RIGHTS  
DIVISION, FOR INFORMATION CONCERNING SURREPTITIOUS  
ENTRIES.

REBUAIRTEL TO AL, MARCH 18, 1976.

I DO NOT RECALL ANY INFORMATION REGARDING ANY  
SURREPTITIOUS ENTRIES DURING THE PERIOD JANUARY 1, 1966, TO  
DATE NOR DO I HAVE KNOWLEDGE INDEPENDENT OF THAT GAINED  
AS A RESULT OF THIS OFFICE'S RECENT RESPONSES TO FBIHQ  
REQUESTS FOR INFORMATION ABOUT SURREPTITIOUS ENTRIES.

IN VIEW OF THE ABOVE I AM NOT SUBMITTING A "PERSONAL  
COMMUNICATION" TO THE DEPARTMENT.

END.

SDS FBIHQ

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-13-92 BY SP4 JRM/cal

ROUTE IN ENVELOPE

(6/17/02)



*CAJ*  
**IS-3**  
*Section*

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAR 24 1976  
TELETYPE

Assoc. Dir.	_____
Dep. A.D. Adm.	_____
Dep. A.D. Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	<i>TH/FA</i>
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

*Caffery*  
*R/A*  
*IS-3*  
*4825*

NR006 MO CODE

835 PM NITEL MARCH 24, 1976 TEB

TO DIRECTOR (66-8160)

FROM MOBILE (66-1198)

ATTENTION: INTD, IS-3 SECTION.

REQUEST OF THE ASSISTANT ATTORNEY GENERAL, CIVIL RIGHTS DIVISION,  
FOR INFORMATION CONCERNING SURREPTITIOUS ENTRIES.

REBUAIRTEL TO ALBANY MARCH 18, 1976.

I HAVE NO PERSONAL RECOLLECTION OF SURREPTITIOUS ENTRIES  
CONDUCTED BY FBI PERSONNEL OF THE MOBILE DIVISION FROM JANUARY 1,  
1966 TO DATE.

END

HCL

MJW FBIHQ CLR NO TRAFFIC FOR U

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-15-82 BY SP4JRM/cal

ROUTE IN ENVELOPE

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAR 24 1976

TELETYPE

Assoc. Dir.	_____
Dep. A.D. Adm.	_____
Dep. A.D. Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell. <i>TRM/ED</i>	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

NR 007 NK CODE

5:15PM 03/24/76 NITEL RXG

TO DIRECTOR, FBI

FROM NEWARK (67-1000)

ATTENTION: INTD, IS-3 SECTION

REQUEST OF THE ASSISTANT ATTORNEY GENERAL, CIVIL RIGHTS  
DIVISION, FOR INFORMATION CONCERNING SURREPTITIOUS ENTRIES

RE: BUREAU AIRTEL TO ALBANY DATED MARCH 18, 1976, CAPTIONED,  
"SURREPTITIOUS ENTRIES."

I HAVE NO FIRSTHAND KNOWLEDGE OF ANY SURREPTITIOUS ENTRIES  
BY BUREAU AGENTS SINCE JANUARY 1, 1966. AT NO TIME DURING THIS  
PERIOD DID I EVER PARTICIPATE IN SUCH AN ENTRY NOR DID I HAVE  
ANY KNOWLEDGE CONCERNING ANY SUCH ENTRY.

END

PLS HOLD

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-15-92 BY SP4 JRM/cal

ROUTE IN ENVELOPE



MAR 26 1976

TELETYPE

NR004 NH CODED

11:34PM NITEL MARCH 26, 1976 ETS

TO: DIRECTOR

FROM: NEW HAVEN

JUNE

REQUEST OF THE ASSISTANT ATTORNEY GENERAL, CIVIL RIGHTS  
DIVISION, FOR INFORMATION CONCERNING SURREPTITIOUS ENTRIES.

I HAVE NO KNOWLEDGE OF ANY BREAK-INS OR SURREPTITIOUS  
ENTRIES PERFORMED BY BUREAU AGENTS OR OTHERS WITH PRIOR  
OR SUBSEQUENT KNOWLEDGE OF BUREAU AGENT SINCE 1/1/66.

END

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	<u>Thompson</u>
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

IS-3

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-15-82 BY SP4JRM/cal

(417Xc)



#9) \$HOLD

ROUTE IN ENVELOPE

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAR 26 1976

TELETYPE

Assoc. Dir. \_\_\_\_\_  
Dep. A.D. Adm. \_\_\_\_\_  
Dep. A.D. Inv. \_\_\_\_\_  
Asst. Dir.: \_\_\_\_\_  
Admin. \_\_\_\_\_  
Comp. Syst. \_\_\_\_\_  
Ext. Affairs \_\_\_\_\_  
Files & Com. \_\_\_\_\_  
Gen. Inv. \_\_\_\_\_  
Ident. \_\_\_\_\_  
Inspection \_\_\_\_\_  
Intell. \_\_\_\_\_  
Laboratory \_\_\_\_\_  
Plan. & Eval. \_\_\_\_\_  
Spec. Inv. \_\_\_\_\_  
Training \_\_\_\_\_  
Legal Coun. \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_  
Director Sec'y \_\_\_\_\_

NR001 NO PLAIN

9:13 AM NITEL MARCH 26, 1976 L FJ

TO DIRECTOR, ATTN: INTD, IS-3 SECTION

FROM NEW ORLEANS (62-4461)

JUNE

REQUEST OF THE ASSISTANT ATTORNEY GENERAL, CIVIL RIGHTS  
DIVISION, FOR INFORMATION CONCERNING SURREPTITIOUS ENTRIES.

REBUAIRTEL TO ALL OFFICES, MARCH EIGHTEEN LAST.

ALL INFORMATION I HAVE PERSONAL RECOLLECTED KNOWLEDGE  
OF ABOUT SURREPTITIOUS ENTRIES SINCE JANUARY ONE, NINETEEN  
SIXTY-SIX HAS BEEN PREVIOUSLY FURNISHED IN CONNECTION WITH  
REQUESTS OF FBIHQ.

END MESSAGE...

WLC FBIHQ

REFERENCE  
IS TO INFORMATION  
FURNISHED RE  
THE 3/1966 U.A.  
ENTRY

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-13-82 BY SP4 JRM/cal

6/17/64



✓ IS  
Rm 4825

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAR 24 1976  
TELETYPE

Assoc. Dir.	_____
Dep. A.D. Adm.	_____
Dep. A.D. Inv.	_____
Asst. Dir.:	_____
Adm.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell. <i>Ym/Ed</i>	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

NR 018 PG CODE

9:40 PM NITEL MARCH 24, 1976 PCZ

TO: DIRECTOR

FROM: PITTSBURGH

ATTENTION: INTD, IS - 3 SECTION

REQUEST OF THE ASSISTANT ATTORNEY GENERAL, CIVIL RIGHTS DIVISION,  
FOR INFORMATION CONCERNING SURREPTITIOUS ENTRIES

REBUAIRTEL, MARCH 18, 1976.

I HAVE NO KNOWLEDGE OF ANY BREAK-INS OR SURREPTITIOUS  
ENTRIES PERFORMED BY BUREAU AGENTS OR OTHERS WITH PRIOR OR  
SUBSEQUENT KNOWLEDGE OF BUREAU AGENTS SINCE JANUARY 1, 1966.

END

MJV FBIHQ

*Case 200-1000  
RM*

IS-3

4825



(b)(7)(c)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-15-82 BY SP4JRM/cal

ROUTE IN ENVELOPE

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAR 25 1976

TELETYPE

NR 003 PD CODE

2:58 P M NITEL MARCH 25, 1976

TO: DIRECTOR

FROM: PORTLAND

ATTN: INTD, IS-3 SECTION, J U N E

REQUEST OF THE ASSISTANT ATTORNEY GENERAL, CIVIL RIGHTS  
DIVISION, FOR INFORMATION CONCERNING SURREPTITIOUS ENTRIES.

I, JOHN W. O'ROURKE, SPECIAL AGENT IN CHARGE, PORTLAND  
DIVISION, TO THE BEST OF MY PERSONAL RECOLLECTION, HAVE NO  
KNOWLEDGE OF ANY BREAK-INS OR SURREPTITIOUS ENTRIES PERFORMED  
BY BUREAU AGENTS SINCE JANUARY 1, 1966.

END

SLR FBIHQ

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-15-82 BY SP4JRM/cal

ROUTE IN ENVELOPE

LN7/161



FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

NR 007 RH CODED

MAR 29 1976

5:18 PM NITEL 3-29-76 PKM

TELETYPE

TO: DIRECTOR, FBI (66-8160)

FROM: RICHMOND (66-2171) 1P

ATTENTION: INTD, IS-3 SECTION.

REQUEST OF THE ASSISTANT ATTORNEY GENERAL, CIVIL RIGHTS  
DIVISION, FOR INFORMATION CONCERNING SURREPTITIOUS ENTRIES.

I HAVE NO KNOWLEDGE CONCERNING SURREPTITIOUS ENTRIES.

ADMINISTRATIVE:

REBUAIRTEL, MARCH 18, 1976, CAPTIONED "SURREPTITIOUS  
ENTRIES (JUNE)".

END

Assoc. Dir. \_\_\_\_\_  
Dep.-A.D.-Adm. \_\_\_\_\_  
Dep.-A.D.-Inv. \_\_\_\_\_  
Asst. Dir.: \_\_\_\_\_  
Admin. \_\_\_\_\_  
Comp. Syst. \_\_\_\_\_  
Ext. Affairs \_\_\_\_\_  
Files & Com. \_\_\_\_\_  
Gen. Inv. \_\_\_\_\_  
Ident. \_\_\_\_\_  
Inspection \_\_\_\_\_  
Intell. **TM/PA** \_\_\_\_\_  
Laboratory \_\_\_\_\_  
Plan. & Eval. \_\_\_\_\_  
Spec. Inv. \_\_\_\_\_  
Training \_\_\_\_\_  
Legal Coun. \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_  
Director Sec'y \_\_\_\_\_

*deputy*

✓ IS-3  
Rm 4671

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-15-82 BY SP4DRM/CA

(6/17/10)



ROUTED TO [illegible]

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

TELETYPE

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	<u>7/11/76</u>
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

NR 003 SC CODE

12:45 PM NITEL 3/24/76 VLS

TO DIRECTOR

FROM SACRAMENTO (66- )

SURREPTITIOUS ENTRIES - JUNE

ATTN: INTD, IS - 3 SECTION

REQUEST OF THE ASSISTANT ATTORNEY GENERAL, CIVIL RIGHTS  
DIVISION, FOR INFORMATION CONCERNING SURREPTITIOUS ENTRIES.

REBUAIRTEL MARCH 18, 1976.

I HAVE NO PERSONAL KNOWLEDGE OF ANY SURREPTITIOUS  
ENTRIES PERFORMED BY THIS OFFICE AS REFERRED TO IN REFERENCED  
COMMUNICATION.

END

EFG FBIHQ

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-15-82 BY SP4JRM/cal

ROUTE IN ENVELOPE

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAR 26 1976

TELETYPE

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

NR 03 SD CODE

2:59 AM MARCH 26, 1976 NITEL MAH

TO: DIRECTOR, FBI

ATTN: INTD IS-3

J U N E

FROM: SAC SAN DIEGO (66-96)

REQUEST OF THE ASSISTANT ATTORNEY GENERAL, CIVIL RIGHTS  
DIVISION, FOR INFORMATION CONCERNING SURREPTITIOUS ENTRIES.

REBUAIRTEL 3/18/76.

I, RONALD L. MALEY, SAN DIEGO DIVISION, HAVE NO  
KNOWLEDGE OF SURREPTITIOUS ENTRIES AS REQUESTED IN REBUAIRTEL.

END

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-15-82 BY SP4 JRM/cal

(6/17/01)



*C. Cassidy*

UNITED STATES GOVERNMENT

# Memorandum

~~SECRET~~

TO : The Director

DATE: 12-9-76

FROM : Legal Counsel *Jm*

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
EXCEPT WHERE SHOWN  
OTHERWISE.

SUBJECT: SURREPTITIOUS ENTRY INVESTIGATION

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_  
Asst. Dir.: \_\_\_\_\_  
Adm. Serv. \_\_\_\_\_  
Ext. Affairs \_\_\_\_\_  
Fin. & Pers. \_\_\_\_\_  
Gen. Inv. \_\_\_\_\_  
Ident. \_\_\_\_\_  
Inspection \_\_\_\_\_  
Intell. \_\_\_\_\_  
Laboratory \_\_\_\_\_  
Legal Coun. \_\_\_\_\_  
Plan. & Eval. \_\_\_\_\_  
Rec. Mgmt. \_\_\_\_\_  
Spec. Inv. \_\_\_\_\_  
Training \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_  
Director Sec'y \_\_\_\_\_

## PURPOSE:

To alert you to the existence of information relevant to the question whether you should take administrative action concerning the surreptitious entry matter.

## SYNOPSIS AND DETAILS:

Pursuant to your instructions I furnished you a memorandum dated December 8, 1976, captioned as above which addressed the question whether there is any indication that the Civil Rights Division restricted access to the results of their investigation so that it would not be available to you for purposes of taking administrative action within the FBI. While reviewing the documents furnished me by Mr. Long for that purpose, I discovered a memorandum which I had not known existed previously. The memorandum did not deal with the question of whether the Civil Rights Division restricted access to the results of their investigation but it did contain information concerning surreptitious entries that had been developed within the FBI. I cannot assess its full significance because additional investigation is required. However, it is my opinion that you should be alerted to the existence of the information so that you may be prepared to order the necessary investigation and consider taking appropriate administrative action at such time as it may be possible to do so consistent with the Civil Rights Division investigation.

The memorandum was from Director, FBI, to Assistant Attorney General, Civil Rights Division, captioned "Surreptitious Entries," dated May 14, 1976. It transmitted one copy each of responses from FBI officials who were asked to furnish "their complete and full knowledge of any and all break-ins or surreptitious entries performed by Bureau Agents or by others with prior or subsequent knowledge by the Agents since January 1, 1966." The Assistant Attorney General, Civil Rights Division, had requested such an inquiry of Bureau officials in his memorandum to

1 - Mr. Mintz

(2)

Enclosures

3-ENCLOSURE

CONTINUED - OVER

JUN 14 '79

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

~~SECRET~~ ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 5-20-83 BY SP4JEM/cal

4-16-82

SP4JEM/cal

5-28-79  
004-1-328

62-117166-90X5



**Memo Legal Counsel to the Director  
Re: Surreptitious Entry Investigation**

you of January 20, 1976. Included in the responses from the Bureau officials was one from a current Bureau official whose response was dated April 5, 1976. His statement was 'I have been involved in both the domestic and foreign fields in intelligence for the majority of my career in the FBI and during this period I have been aware of many surreptitious entries, although I cannot specifically identify any at this point, either by dates, places, or targets involved.'

The above-quoted statement must be compared with information reported in an Inspection Division memorandum prepared subsequently. The memorandum from H.N. Bassett to Mr. Callahan captioned "Surreptitious Entries" dated May 11, 1976, reported the results of the Inspection Division inquiry in the New York Office. On page 9 of the memorandum, it was reported that the current Bureau official whose statement is quoted above was identified as a person whose initials appear in the block stamp on memoranda found in the New York Office regarding surreptitious entries on December 11, 1972, and December 20, 1972. Attached for your information is one copy each of the memorandum to the Assistant Attorney General, Civil Rights Division, May 14, 1976, and the relevant enclosure plus one copy of the Bassett to Callahan memorandum, 5-11-76.

**RECOMMENDATION:**

That at such time as you obtain the concurrence of the Assistant Attorney General, Civil Rights Division, this matter be referred to the Planning and Inspection Division for investigation.

OK

UNITED STATES GOVERNMENT

# Memorandum

TO : The Director

DATE: 12-9-76

FROM : Legal Counsel *JAM*

SUBJECT: SURREPTITIOUS ENTRIES

PURPOSE:

*Civil Rights Division Surreptitious Entries*

To record a conference with the Attorney General concerning captioned matter.

SYNOPSIS AND DETAILS:

At approximately 9:30 a.m. on December 9, 1976, Doug Marvin, counsel to the Attorney General, called me and said the Attorney General requested me to meet with him personally at once. I met with the Attorney General in his office at approximately 9:35 a.m. We were joined by Doug Marvin, Jack Fuller and the Deputy Attorney General, all of whom attended at the Attorney General's specific request.

The Attorney General told me that he was concerned that there appeared to be some lack of agreement between the FBI and the Civil Rights Division regarding the authority of the Director to undertake an investigation for purposes of administrative action. He said that when the issue has been discussed there seems to have been some difficulty on the part of both the FBI and the Civil Rights Division in agreeing upon the correct state of affairs. He said that you had indicated to him that you had conferred with me concerning these matters and that he desired to discuss them with me. He said that in his discussions with Assistant Attorney General Pottinger as recently as the evening of December 8, 1976, it was Mr. Pottinger's position that the Director was not constrained from undertaking an investigation for purposes of administrative action at the present time and that it has never been his position that the Director was ever constrained in that regard. Further, Mr. Pottinger took the position that the Director had available to him sufficient information on which he could take administrative action which information was contained in a "Bassett memorandum." The Attorney General then asked me

Enclosure - *Delivered by courier*

1 - Mr. DeBruler

1 - Mr. Mintz

JAM

(3)

241

6K61

6K61

8 JUN 14 79

5010-108

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 3-2-82

CONTINUED - OVER

BY SP4 JEM/cal LEGAL

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_  
Asst. Dir.: \_\_\_\_\_  
Adm. Serv. \_\_\_\_\_  
Ext. Affairs \_\_\_\_\_  
Fin. & Pers. \_\_\_\_\_  
Gen. Inv. \_\_\_\_\_  
Ident. \_\_\_\_\_  
Inspection \_\_\_\_\_  
Intell. \_\_\_\_\_  
Laboratory \_\_\_\_\_  
Legal Coun. \_\_\_\_\_  
Plan. & Eval. \_\_\_\_\_  
Rec. Mgnt. \_\_\_\_\_  
Spec. Inv. \_\_\_\_\_  
Training \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_  
Director Sec'y \_\_\_\_\_

2-1-79

62-117266-90X6

5-28-79

001-5-1518

Memo Legal Counsel to the Director  
Re: Surreptitious Entries

to explain to him the Director's position.

I told the Attorney General that before the Director could undertake any administrative action in this matter he would need some indication from the Assistant Attorney General of the Civil Rights Division or from the Attorney General that they concurred in the decision to take administrative action while the Civil Rights Division investigation is still pending and that the Director had told me personally during this week that he had not received such concurrence and moreover that it was his understanding from Mr. Pottinger that he should not proceed to take administrative action while the Civil Rights Division investigation is pending. I told the Attorney General that even if the Director had the Assistant Attorney General or the Attorney General's concurrence to take administrative action he could not realistically do so without having the factual basis on which such action could be taken. I explained to him the "Bassett memorandum" apparently refers to a memorandum prepared by Assistant Director Bassett at the time he was in charge of the Inspection Division and that the memorandum merely confirms the existence of certain documents in the New York Office and reports that those documents bear initials which are identifiable with current Bureau officials. I told him that the memorandum did not report information in addition to the existence of the documents and of the initials and that such limited information was insufficient to use as a basis for administrative action. I told him that additional investigation was required in the form of interviews and possibly other document reviews but that in accordance with the Director's understanding of the limitations imposed on him by the Civil Rights Division, the necessary additional investigation could not be conducted.

The Deputy Attorney General said that he agreed with the Director's understanding of the circumstances but that Mr. Pottinger was taking the position that the Director was not bound to refrain from doing those things necessary in order to take administrative action.

I then told the Attorney General that it was my opinion that the Director would order an investigation for the purposes of taking appropriate administrative action if he were authorized to do so by the Attorney General. The Attorney General

Memo Legal Counsel to the Director  
Re: Surreptitious Entries

said that if that were the Director's position the Attorney General would consider a memorandum from the Director expressing his desire to conduct the necessary investigation and stating that he intends to order such investigation unless directed not to do so by the Attorney General. The Attorney General made clear that the decision whether such a request should be made by the Director lies solely within the discretion of the Director.

I told the Attorney General I would bring these matters to your attention and I was confident that he would have a response from you shortly.

The Attorney General said that he had discussed the possibility of the Director ordering an investigation for administrative purposes but the Director had told him that it was difficult to undertake investigations based on rumors. The Attorney General said he understood that but that he would like to make a specific point that the FBI should have a method of inspecting offices that would identify such problems so that there would be no need for the Director to rely upon rumors.

RECOMMENDATION:

That you send the attached proposed memorandum to the Attorney General requesting his concurrence in your decision to order an investigation for purposes of administrative action concerning surreptitious entries.

*CK*

APPROVED:	Adm. Serv.....	Legal Coun.....
	Ext. Affairs.....	Plan. & Ins.....
Director.....	Fin. & Pers.....	Rec. Mgt.....
Assoc. Dir.....	Gen. Inv.....	S. & T. Serv.....
Dep. AD Adm.....	Ident.....	Spec. Inv.....
Dep. AD Inv.....	Intell.....	Training.....

The Attorney General

December 9, 1979

Director, FBI

1. Mr. DeBruler  
2. Mr. Mintz

**SUBREPTITIUS INVESTIGATION**

*Civil Rights Division Subreptitious Exp.*

During the past several months, I have been concerned with the delay in the completion of the investigation of the activities of the Civil Rights Division. It has been my desire from the beginning of this matter that the facts be promptly collected and made available so that any criminal or administrative action deemed appropriate might be undertaken without delay. I still believe that my obligations to the FBI and to you require me to resolve the administrative aspects of this matter as soon as possible. Further delay may be harmful to this Bureau. Therefore, it is my intention to order an investigation to be conducted by the Planning and Inspection Division of this Bureau under my direct supervision so that I may be furnished the facts and that appropriate administrative action may be taken. It is my present intention to conduct a full investigation of all matters presently known to require investigation and all matters which may be discovered during the course of the inquiry. I seek your concurrence in my decision to order this investigation. If you, as Assistant Attorney General of the Civil Rights Division have any objections to the implementation of my decision or if you have any specific recommendations or comments to me concerning this matter, I would appreciate your expressing these objections and directives in writing by December 14, 1979. I will consider the receipt of such written responses. I will proceed to implement my decision as established and I will proceed to implement my decision as established.

*12/10/79 by [unclear] 5:20 PM*

AD Adm.  
AD Inv.  
Dir.  
Srv.  
Affairs  
In. & Pers.

1 - The Deputy Attorney General

2 - Assistant Attorney General  
Civil Rights Division

JAM  
(7)

MAIL ROOM

TELETYPE UNIT

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 3-2-82 BY [unclear]

*12-6-90*

MAY 28 1979





UNITED STATES GOVERNMENT

# Memorandum

TO : The Director

DATE: 12-9-76

FROM : Legal Counsel

SUBJECT: SURREPTITIOUS ENTRIES

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_  
Asst. Dir.:  
Adm. Serv. \_\_\_\_\_  
Ext. Affairs \_\_\_\_\_  
Fin. & Pers. \_\_\_\_\_  
Gen. Inv. \_\_\_\_\_  
Ident. \_\_\_\_\_  
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Legal Coun. \_\_\_\_\_  
Plan. & Eval. \_\_\_\_\_  
Rec. Mgnt. \_\_\_\_\_  
Spec. Inv. \_\_\_\_\_  
Training \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_  
Director Sec'y \_\_\_\_\_

## PURPOSE:

To record a call from Assistant Attorney General Pottinger concerning captioned matter.

## DETAILS:

At approximately 2:17 p.m. on December 9, Assistant Attorney General Pottinger called me and said that he had spoken with you on the evening of December 8 concerning captioned matter. He said that today he had talked with the Attorney General concerning this matter and the Attorney General had told him of the Attorney General's conference with me on the morning of December 9. Mr. Pottinger said he feels there is a continuing lack of understanding and he would like to suggest a meeting directly between himself and the FBI because to involve the Attorney General and the Deputy Attorney General as intermediaries seems to cause things not to be clear. He suggested that a conference be held in your office at 10 a.m. on Tuesday, December 14, 1976, to be attended by you, Mr. Pottinger, Jim Turner of Pottinger's staff, Mr. DeBruler, and me.

He said that he would like to present to you at that time a memorandum concerning guidelines on administrative action which you might undertake. Secondly, he would like to refer to you matters which you might consider for administrative action. Third, he would like to furnish you his ideas concerning how investigations might be structured to uncover facts and he would like to share with you his methodology. I agreed that we would set 10 a.m., December 14, 1976, in your office as the time and place for such a meeting if your schedule would permit. Your secretary advised me that such a meeting could be scheduled for us at that time and we made a tentative commitment for you.

1 - Mr. DeBruler

1 - Mr. Mintz

JAM

(3)



5010-108

67-117/66

DATE 3-2-82

BY SP4 JRM

CONTINUED - OVER

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

LEGAL COUNSEL  
10/4/76  
FBI/DOJ

Memo Legal Counsel to the Director  
Re: Surreptitious Entries

At approximately 4:20 p. m. on December 9, I called you at New Orleans and advised you of my conference with the Attorney General and of the call I received from Mr. Pottinger and of the scheduled meeting. I advised you that I had prepared a memorandum that you might send to the Attorney General indicating your intention to undertake investigation for purposes of administrative action in regard to surreptitious entries. I recommended to you that even though a meeting is scheduled with Mr. Pottinger that you consider forwarding the memorandum to the Attorney General in order to make your position clear.

RECOMMENDATION:

For information.

APPROVED:

Director .....  
Assistant Director .....  
Chief of Bureau .....  
Chief of Administration .....  
Chief of Legal Division .....

Admin. Serv. ....  
Ext. Affairs .....  
Files & Com. ....  
Gen. Inv. ....  
Ident. ....  
Intell. ....  
Lab. ....  
Legal Coun. ....  
Plan. & Insp. ....  
Rec. Mgmt. ....  
Spec. Inv. ....  
Training ....

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UNITED STATES GOVERNMENT

# Memorandum

TO : THE DIRECTOR

DATE: 12-10-76

FROM : R. E. LONG

SUBJECT: SURREPTITIOUS ENTRY INVESTIGATION

On 6-18-76, I assumed the duties of investigation coordinator for the surreptitious entry investigation. It was clearly established and defined by Mr. Adams that I would be working with the Department on this investigation. In the beginning, it was established that I would designate a copy of all the results of my investigation to Mr. Adams. I submitted the very first paper on result of investigation to Mr. Gardner of the Department, and a copy to Mr. Adams. Upon delivering the copy to Mr. Gardner, it was observed by him that a copy was designated for Mr. Adams. He remarked at this time that results of investigation were to go to him only and nothing was to be submitted to the Bureau. At that time, it was understood that this situation would be discontinued and, as a result thereof, I was under instructions by Mr. Adams and Mr. Gardner to submit no results of investigation to anyone at the Bureau but to Mr. Gardner only.

Mr. Gardner advised me that he wanted it to be clearly understood that no one at the Bureau was to be advised of the results of any investigation in this matter by me or anyone in the crew. If Mr. Kelley or anyone at the Bureau was to be advised of any startling investigation that was breaking or the result of any investigation, this would only be effected by Mr. Gardner and preferably Mr. Pottinger.

In view of the above, it was clearly understood by me that I would not furnish results of investigation to anyone at the Bureau; that I was clearly working with Mr. Gardner and would report to him only as to the results of investigation.

As a matter of interest, I advised several members of Mr. Gardner's staff that I thought something should be called to Mr. Kelley's attention and so recommended. This was done, as again, it was clearly understood that things would be brought to Mr. Kelley's attention only through Mr. Gardner and Mr. Pottinger.

1 - Mr. Mintz  
1 - Mr. DeBruler

REID

(4)

APPROVED:

Director  
Assoc. Dir.  
Dep. AD Adm.  
Dep. AD Inv.

Adm. Serv.  
Ext. Affairs  
Fin. & Pers.  
Gen. Inv.  
Ident.  
Intell.

Legal Coun.  
Plan. & Insp.  
Rec. Mgt.  
S. & T. Serv.  
Spec. Inv.  
Training



Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Assoc. Dir.  
Dep. AD Adm.  
Dep. AD Inv.  
Asst. Dir.:  
Adm. Serv.  
Ext. Affairs  
Fin. & Pers.  
Gen. Inv.  
Ident.  
Inspection  
Intell.  
Laboratory  
Legal Coun.  
Plan.  
Rec. Mgt.  
Spec. Inv.  
Training  
Telephone Rm.  
Director Sec'y

December 14, 1976

Dep. A.	Adm.
Dep. A.	Dep. A.
Asst. D.	Asst. D.
Adm.	Adm.
Ext. Affairs	Ext. Affairs
Fin. & Inv.	Fin. & Inv.
Gen. Inv.	Gen. Inv.
Ident.	Ident.
Intell.	Intell.
Legal Coun.	Legal Coun.
Plan. & Insp.	Plan. & Insp.
Rec. Mgt.	Rec. Mgt.
S. & T. Serv.	S. & T. Serv.
Spec. Inv.	Spec. Inv.
Training	Training
Telephone Rm.	Telephone Rm.
Director's Sec'y	Director's Sec'y

Mr. Kelley:

I talked with Assistant Director Fehl concerning the attached matter and he advises me that he responded to you as to the check with [REDACTED]

R. E. Long

(6/16)  
(7/10)

KY

3-2-82 [SP4JRM/cal

XXXXXX  
XXXXXX  
XXXXXXFEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET

4 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☐ Deleted under exemption(s) \_\_\_\_\_ with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☒ Document(s) originating with the following government agency(ies) DEPT. OF JUSTICE, CIVIL RIGHTS DIVISION, was/were forwarded to them for direct response to you.

\_\_\_\_\_ Page(s) referred for consultation to the following government agency(ies); \_\_\_\_\_ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

\_\_\_\_\_ Page(s) withheld for the following reason(s):  
\_\_\_\_\_  
\_\_\_\_\_

☐ For your information: \_\_\_\_\_  
\_\_\_\_\_

- ☒ The following number is to be used for reference regarding these pages:

62-117166 - NOT RECORDED DATED 12/7/76

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 XXXXXXXXXXXXXXXXXXXX  
 X DELETED PAGE(S) X  
 X NO DUPLICATION FEE X  
 X FOR THIS PAGE X  
 XXXXXXXXXXXXXXXXXXXX

Assistant Attorney General  
Civil Rights Division

December 10, 1976

Director, FBI

FEDERAL GOVERNMENT

1 - Mr. Adams

1 - Mr. Fehl

SPECIAL AGENT [REDACTED]

ACTION MEMORANDUM

ALL (446) (7X)

*Subpoena Entry*

This is in response to your memorandum to Assistant Director Frederick C. Fehl dated December 7, 1976, which outlines your request to have Special Agent (SA) [REDACTED] apprised of the need to have him interviewed by Mr. Gardner of your office by Friday, December 10, 1976. In addition, it was further requested that [REDACTED] be informed of your desire to grant him immunity from prosecution regarding any matter he testifies to in the interview as well as before a grand jury, in the event that such testimony becomes necessary at a later date. You also requested that Agent [REDACTED] be informed he had a right to counsel and that he has no obligation to be interviewed, although he does have an obligation to respond to a subpoena.

Agent [REDACTED] has been contacted on several occasions regarding this matter, the most recent being December 8 and 9, 1976, at which time he was furnished a transcript of your memorandum outlined above. It has been Agent [REDACTED] position from the beginning that any effort by him to surface from his undercover capacity would seriously jeopardize his assignment. Agent [REDACTED] has continually advised that he has no objection to conversing with Department of Justice officials on this matter at the conclusion of this assignment; however, for him to react to this request would require him to make contact with an attorney of his own choice. He believes that by making himself available to personal counsel he would be jeopardizing his undercover role.

Agent [REDACTED] after fully evaluating the Department's most recent request, respectfully advised he has no other alternative than to have the Department execute the subpoena for his appearance.

Assoc. Dir.  
Dep. AD Adm.  
Dep. AD Inv.  
Asst. Dir.  
Adm. Serv.  
Ext. Affairs  
Fin. & Pers.  
Gen. Inv.  
Ident.  
Inspection  
Intell.  
Laboratory  
Legal Coun.  
Plan. & Eval.  
Rec. Mgnt.  
Spec. Inv.  
Training  
Telephone Rm.  
Director Sec'y

APPROVED:

Adm. Serv.  
Ext. Affairs  
Gen. Inv.  
Ident.  
Inspection  
Intell.  
Laboratory  
Legal Coun.  
Plan. & Eval.  
Rec. Mgnt.  
Spec. Inv.  
Training  
Telephone Rm.  
Director Sec'y

MAIL ROOM ☒ TELETYPE UNIT ☐

SEEK FOR INFO

Assistant Attorney General  
Civil Rights Division

ALL (W), (K)

Agent [REDACTED] has advised that if he is compelled to surface or testify based upon the request of the Civil Rights Division that the Department provide him written assurance of their assumption of full responsibility in the event his undercover role is compromised including consequences of his safety and security.

It is the opinion of Bureau officials on the scene who maintain contact with him that an appearance before a grand jury would in all probability end his effectiveness as an undercover Agent in this highly sensitive criminal investigation. It is their further opinion that the pitfalls of appearing before a grand jury include possible exposure of his identification through uncontrollable circumstances. There is concern, of course, as to a member of the grand jury possibly identifying Agent [REDACTED] and/or his identity being established or observed by persons unknown who could be in or around the Federal grand jury area or the courthouse.

In view of the fact that the investigation in which Agent [REDACTED] is involved is of such magnitude, there is a dire need that he continue to remain in an undercover capacity at least until late December, 1976. The tentative overt stage of this investigation involving individuals of national prominence is being scheduled for mid-January, 1977. It is the opinion of all the individuals involved in this investigation that all undercover agents should continue in these assignments for a short period of time while the overt stage of the investigation is under way in order to gather additional evidence regarding the overall investigation.

One of the most important factors in evaluating the decision in this matter centers around the personal safety and security of not only Agent [REDACTED] but of an informant who has furnished highly sensitive information during the course of this lengthy investigation. We feel that should Agent [REDACTED] undercover role be exposed at this time, it would call for immediate action in protecting the informant since his life would be endangered in addition to totally diminishing his usefulness during the overt investigation.

Assistant Attorney General  
Civil Rights Division

We had previously contemplated conducting overt investigation in this matter at a time earlier than December 10, 1976. However, the success that we have achieved has necessitated our investigation continuing in a covert fashion.

(b)(6)  
(b)(7)(c)

This matter has been thoroughly discussed on several occasions with Jay C. Waldman, Deputy Assistant Attorney General, Criminal Division, by reason of the fact that the Criminal Division has the prosecutive responsibility of this investigation. Inasmuch as a subpoena of Agent [REDACTED] at this time would have such an adverse effect on the criminal investigation pending as well as his safety, it is felt a conference should be held by the Civil Rights Division and the Criminal Division with Deputy Attorney General Tyler for the purpose of discussing the issues contained in this memorandum prior to the issuance of any subpoena for Agent [REDACTED] to appear before a Federal grand jury. Representatives of the Federal Bureau of Investigation stand ready to participate and discuss this matter.

1 - Assistant Attorney General  
Criminal Division  
Attention: Jay C. Waldman  
Deputy Assistant Attorney General

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

DEC 14 1976

TELETYPE

(4/13)

ALL (L/K/6),  
(L/K/6)

TP0234 3400339

PP 101

DE TP

P 130030Z DEC 76

FM TAMPA (68-031 SUB D) (P)

TO DIRECTOR PRIORITY

1

ALFAC

ATTENTION: LEGAL COUNSEL DIVISION

CIVIL RIGHTS DIVISION, CRIMINAL INVESTIGATION OF SUBREPTITION

RE TAMPA TELETYPE TO BUREAU, NOVEMBER 17, 1976.

ON DECEMBER 10, 1976, FRANK MARTIN, CIVIL RIGHTS DIVISION,  
DEPARTMENT OF JUSTICE, TELEPHONICALLY CONTACTED SA [REDACTED]

[REDACTED] TAMPA DIVISION, AND REQUESTED SA [REDACTED] TO APPEAR AT [REDACTED].

ON DECEMBER 10, 1976 REGARDING INVESTIGATION OF THE  
ADULTERATED SQUAD AT NEW YORK. SA [REDACTED] WAS ON THAT SQUAD FROM  
APPROXIMATELY MARCH, 1973 TO SEPTEMBER, 1971.

FOOD, SA [REDACTED] WILL ISSUE GTR FOR TRAVEL AND GO TO [REDACTED]  
FOR FBI APPEARANCE.

BT

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-2-92 BY SP4JRM/cal

84 DEC 30 1976

CC - Gen. Inv.

XXXXXX  
XXXXXX  
XXXXXXFEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET1

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☐ Deleted under exemption(s) \_\_\_\_\_ with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.

- ☒ Document(s) originating with the following government agency(ies) DEPT. OF JUSTICE,  
OFFICE OF INFORMATION AND PRIVACY was/were forwarded to them for direct response to you.

\_\_\_\_\_ Page(s) referred for consultation to the following government agency(ies); \_\_\_\_\_ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

\_\_\_\_\_ Page(s) withheld for the following reason(s):  
\_\_\_\_\_  
\_\_\_\_\_

☐ For your information: \_\_\_\_\_  
\_\_\_\_\_

- ☒ The following number is to be used for reference regarding these pages:

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XXXXXX  
XXXXXXFEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET2

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☐ Information pertained only to a third party. Your name is listed in the title only.

☒ Document(s) originating with the following government agency(ies) DEPT. OF JUSTICE  
CIVIL RIGHTS DIVISION, was/were forwarded to them for direct response to you.

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\_\_\_\_\_ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

\_\_\_\_\_ Page(s) withheld for the following reason(s):  
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☐ For your information: \_\_\_\_\_  
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# FEDERAL BUREAU OF INVESTIGATION

## FOIPA DELETED PAGE INFORMATION SHEET

1

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- ☐ Deleted under exemption(s) \_\_\_\_\_ with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.

☒ Document(s) originating with the following government agency(ies) DEPT. OF JUSTICE,  
OFFICE OF INFORMATION AND PRIVACY as/were forwarded to them for direct response to you.

\_\_\_\_\_ Page(s) referred for consultation to the following government agency(ies); \_\_\_\_\_ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

\_\_\_\_\_ Page(s) withheld for the following reason(s):  
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☒ The following number is to be used for reference regarding these pages:

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UNITED STATES GOVERNMENT

Memorandum

TO : J.G. Deegan

FROM :

SUBJECT: REQUEST BY DEPARTMENT OF JUSTICE TO INTERVIEW  
SA [REDACTED] REGARDING HIS KNOWLEDGE OF  
SURREPTITIOUS ENTRIES

1 - Mr. Adams  
1 - Mr. Mintz  
1 - Mr. Gallagher

DATE: 12/21/76

1 - Mr. Ingram  
1 - Mr. Deegan  
1 - [REDACTED]

Assoc. Dir.  
Dep. AD  
Dep. AD  
Asst. Dir.:  
Admin.  
Comp. Syst.  
Ext. Affairs  
Files & Com.  
Gen. Inv.  
Ident.  
Inspection  
Intell.  
Laboratory  
Legal Coun.  
Plan. & Eval.  
Spec. Inv.  
Training  
Telephone Rm.  
Director Sec'y

Purpose is to advise of a telephone contact received by SA [REDACTED] from an attorney in the Criminal Division, Civil Rights Section, Department of Justice (DOJ) requesting an interview of SA [REDACTED] concerning his knowledge on any surreptitious entries conducted by the squad that handled the Black Panther Party (BPP) case in the New York Office.

During the p.m. of 12/20/76 Daniel Bell, Attorney, Criminal Division, Civil Rights Section, DOJ telephonically contacted SA [REDACTED] at FBIHQ. Mr. Bell inquired as to whether SA [REDACTED] was identical to Supervisor [REDACTED] who formerly supervised the squad handling the BPP case in the New York Office. SA [REDACTED] answered in the affirmative. Mr. Bell advised that he has been conducting an investigation regarding surreptitious entries on the part of Bureau Agents. He further advised that during the course of this investigation, information has come to his attention which discloses that the squad that handled the BPP case in the New York Office may have been involved in surreptitious entries in the past. Mr. Bell stated he would like to interview SA [REDACTED] for any knowledge he may have concerning this matter. Mr. Bell further stated to SA [REDACTED] that the information he has developed to date does not implicate him in any criminal action. However, during the course of the formal interview that is to be conducted he may have to ask SA [REDACTED] questions that may tend to incriminate him and if such be the case, SA [REDACTED] would be apprised of his rights. SA [REDACTED] advised Mr. Bell that in view of the latter he would not set a definite date for an interview until he considered what action he should take, whether to retain counsel or not.

By way of background SA [REDACTED] was the supervisor of squad 43 in 1970, 71, 72, and 73 in the New York Office, which squad did handle the BPP case.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-2-82 BY SP4JRM/rab

JAN 4 1977

84 11.1977

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Memorandum Shea to Deegan

Re: Request By Department Of Justice To Interview  
SA [REDACTED] Regarding His Knowledge Of  
Surreptitious Entries

(b)(1), (b)(7)(C)

RECOMMENDATION:

That SA [REDACTED] be released from the obligation of his employment agreement to maintain information obtained in the course of his employment in confidence, in order that he can appropriately discuss this matter with his own legal counsel.

APPROVED:

Director.....  
Assoc. Dir.....  
Dep. AD Adm.....  
Dep. AD Inv.....

Adm. Serv.....  
Ext. Affairs.....  
Fin. & Pers.....  
Gen. Inv.....  
Ident.....  
Intell.....  
Legal Coun.....  
Plan. & Insp.....  
Rec. Mgt.....  
S. & T. Serv.....  
Spec. Inv.....  
Training.....

UNITED STATES GOVERNMENT

# Memorandum

TO : MR. ADAMS

DATE: 12/23/76

W. K. DE BRULER

SUBJECT: SURREPTITIOUS ENTRY INVESTIGATION  
DEPARTMENT OF JUSTICE  
CIVIL RIGHTS PROJECT

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_  
Asst. Dir.:  
Adm. Serv. \_\_\_\_\_  
Ext. Affairs \_\_\_\_\_  
Fin. & Pers. \_\_\_\_\_  
Gen. Inv. \_\_\_\_\_  
Ident. \_\_\_\_\_  
Inspection \_\_\_\_\_  
Intell. \_\_\_\_\_  
Laboratory \_\_\_\_\_  
Legal Coun. \_\_\_\_\_  
Plan. & Eval. \_\_\_\_\_  
Rec. Mgmt. \_\_\_\_\_  
Spec. Inv. \_\_\_\_\_  
Training \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_  
Director Sec'y \_\_\_\_\_

## PURPOSE

The purpose of this memorandum is to advise you that [REDACTED]  
[REDACTED] has been subpoenaed to testify 1/4/77 in captioned matter.

## DETAILS

[REDACTED] who is on extended annual leave until 1/3/77 in Cincinnati, Ohio, telephonically advised Chief Inspector David A. Brumble that on 12/23/76 he had received a telephone call from William Gardner, Section Chief, Criminal Section, Civil Rights Division, U. S. Department of Justice. Gardner informed him that he [REDACTED] was subpoenaed to testify before the Federal Grand Jury in New York City concerning the surreptitious entry matter on 1/4/77. [REDACTED] stated he had previously talked to Gardner concerning this matter in August, 1976. [REDACTED] advised that Gardner voluntarily commented that his group was trying to get as much testimony as possible before the Federal Grand Jury and that "they" plan to leave the results of their inquiry for the new Attorney General to make a decision in this matter.

## ACTION

None . . . submitted for your information.

1 - Mr. Mintz  
1 - Mr. Long

DAB [REDACTED] (5)



5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 3-2-82

BY SP4 JRM/cal

RECEIVED

FBI/DOJ

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. R.J. Gallagher

FROM : J.G. Deegan

SUBJECT: REQUEST BY DEPARTMENT OF JUSTICE ATTORNEY  
TO INTERVIEW SA [REDACTED] REGARDING  
HIS KNOWLEDGE OF SURREPTITIOUS ENTRIES

1 - Mr. Adams  
1 - Mr. Mintz  
1 - Mr. R.E. Long  
DATE: 1/4/77  
1 - Mr. Gallagher  
1 - Mr. Ingram  
1 - Mr. Deegan  
1 - [REDACTED]

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_  
Asst. Dir.:  
Adm. Serv. \_\_\_\_\_  
Ext. Affairs \_\_\_\_\_  
Fin. & Pers. \_\_\_\_\_  
Gen. Inv. \_\_\_\_\_  
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Inspection \_\_\_\_\_  
Intell. \_\_\_\_\_  
Laboratory \_\_\_\_\_  
Legal Coun. \_\_\_\_\_  
Plan. & Eval. \_\_\_\_\_  
Rec. Mgmt. \_\_\_\_\_  
Spec. Inv. \_\_\_\_\_  
Training \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_  
Director Sec'y \_\_\_\_\_

Purpose of this memorandum is to advise that SA [REDACTED] will travel to New York City on official business on 1/6/77 to be interviewed by Departmental Attorneys of the Civil Rights Division, Criminal Section, Department of Justice (DOJ), regarding their investigation of surreptitious entries.

EX-109

You have been previously advised that SA [REDACTED] formerly the Supervisor of the Black Extremist Desk, New York Office, from 1970 to 1973, was telephonically contacted on 12/20/76 by Daniel Bell, Attorney, Criminal Section, Civil Rights Division, DOJ, wherein Mr. Bell advised that he has been conducting an investigation regarding surreptitious entries on the part of Bureau Agents and during the course of this investigation information has come to his attention which discloses that the squad that handled the Black Panther Party case in the New York Office may have been involved in surreptitious entries in the past. Mr. Bell stated he would like to interview SA [REDACTED] for any personal knowledge he may have concerning this matter. He further stated to SA [REDACTED] that the information he has developed to date does not implicate him in any criminal action. However, during the course of the formal interview he may have to ask SA [REDACTED] direct questions that may tend to incriminate him and, if such be the case, SA [REDACTED] would be apprised of his rights. SA [REDACTED] advised Mr. Bell that in view of the latter statement, he would not set a definite date for an interview until he decides what action he would take, whether to retain counsel or not.

84 JAN 28 1977

5010-106

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED  
DATE 3-2-82 BY SP4JRM/cal

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

ALL  
(b)(6)  
(b)(7)(C)

Memorandum to Mr. R.J. Gallagher  
RE: REQUEST BY DEPARTMENT OF JUSTICE ATTORNEY  
TO INTERVIEW SA [REDACTED] REGARDING  
HIS KNOWLEDGE OF SURREPTITIOUS ENTRIES

Through his attorney, SA [REDACTED] learned on  
1/3/77 that he is scheduled to be interviewed by  
Departmental Attorneys on Thursday, 1/6/77, in  
New York City.

ACTION:

For information. SA [REDACTED] will appear as  
scheduled, accompanied by counsel.

PEN

APPROVED:

Director.....  
Assoc. Dir. [Signature]  
Dep. AD Adm. [Signature]  
Dep. AD Inv. [Signature]

Adm. Serv. [Signature]  
Ext. Aff. [Signature]  
Ident. [Signature]  
Intell. [Signature]

Legal Coun. [Signature]  
Plan. & Insp. [Signature]  
Spec. Inv. [Signature]  
Training [Signature]

UNITED STATES GOVERNMENT

# Memorandum

TO : The Director

DATE: 1-7-77

FROM : Legal Counsel *JM*

SUBJECT: SURREPTITIOUS ENTRIES INVESTIGATION

## SYNOPSIS AND DETAILS:

(b)(6)(3)

At 5:10 p.m. on January 7, 1977, former SAC [REDACTED] called me and said that he had been contacted by Paul Hoeber of the Civil Rights Division of the Department who told [REDACTED] that he would be subpoenaed before a Federal Grand Jury in New York City and attempted to make arrangements for the date of his appearance. [REDACTED] said that he will probably appear next Tuesday afternoon, January 11, 1977.

He asked me for any instructions the Bureau may have. I told him that the Director has indicated the Bureau will cooperate in this investigation and that for purposes of relieving him of the obligations of his secrecy agreement he could consider my advice to him that he was relieved of that obligation to provide him sufficient authority for the limited purposes of his interview by Department representatives or his testimony before the Federal Grand Jury. I also told [REDACTED] that he might consider whether he would require the assistance of counsel. He said he had discussed that matter with the Department representative and had determined in his own mind that the assistance of counsel would not be needed at this time.

## RECOMMENDATION:

For information.

- 1 - Mr. Long  
1 - Personnel file of [REDACTED]  
1 - Mr. Mintz  
JAM [REDACTED]  
(4)



8 JAN 28 1977

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_  
Asst. Dir.: \_\_\_\_\_  
Adm. Serv. \_\_\_\_\_  
Ext. Affairs \_\_\_\_\_  
Fin. & Pers. \_\_\_\_\_  
Gen. Inv. \_\_\_\_\_  
Ident. \_\_\_\_\_  
Inspection \_\_\_\_\_  
Intell. \_\_\_\_\_  
Laboratory \_\_\_\_\_  
Legal Coun. *JM*  
Plan. & Eval. \_\_\_\_\_  
Rec. Mgnt. \_\_\_\_\_  
Spec. Inv. \_\_\_\_\_  
Training \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_  
Director Sec'y \_\_\_\_\_

APPROVED: *JM*

Director: *JM*

Assoc. Dir.: *JM*

Dep. AD Adm.: *JM*

Dep. AD Inv.: *JM*

Adm. Serv. \_\_\_\_\_

Ext. Affairs \_\_\_\_\_

Fin. & Pers. \_\_\_\_\_

Gen. Inv. \_\_\_\_\_

Ident. \_\_\_\_\_

Intell. \_\_\_\_\_

Spec. Inv. \_\_\_\_\_

Training \_\_\_\_\_

Telephone Rm. \_\_\_\_\_

Director Sec'y \_\_\_\_\_

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 3-2-82 BY SP4JRM/cal



Bill Beane

January 12, 1977

Dear Tom:

Per our conversation today, I'm enclosing two copies of each communication. There were no supplemental serials. This is the only thing we have.

Sincerely,

Bill

ST 109

REC-93

62-117166-95X

18 DEC 28 1977

4- ENCL 10  
84 JAN 17 1978

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 3-2-82 BY SP4JRM/cal

84 JAN 17 1978

January 10, 1966  
NOT FOR FILE

CHICAGO COMMITTEE TO DEFEND  
THE BILL OF RIGHTS (CCDBR)

Facts

The headquarters of the CCDBR are located in Room 431, 431 South Dearborn Street, Chicago, Illinois. The CCDBR, although having a Board of Directors, is primarily controlled by RICHARD CRILEY, a former member of the State Board, Communist Party of Illinois.

The CCDBR is at the present time the leading front organization of the CP of Illinois in connection with the CP's activities and efforts in the civil liberties field.

Security

ALL  
7/KC  
7/10

Maximum security exists [redacted] who is the [redacted] for the building located at 431 Dearborn Street, Chicago (headquarters of the CCDBR). [redacted] contains no derogative information regarding [redacted] however, it should be noted that [redacted] has been contacted and displayed an extremely cooperative attitude and expressed his willingness to be of assistance to the FBI. Credit and criminal checks negative regarding [redacted] [redacted] has advised that at 12:00 Midnight the building is locked and thereafter the building [redacted] [redacted] advised that the building is again reopened at 5:30 AM [redacted] will not have knowledge of this anonymous source development.

DATE 3-2-82  
REVIEWED BY [redacted]

Anticipated Productivity

It is expected that this source will be able to furnish information concerning the current officers, activities and financial status of the CCDBR. Some of this information would not be available through any other source.

Recommendation

In view of the maximum security, it is recommended that authority be granted to make contact with this source on or about 1/14/66, sometime during the period 1:00 AM to 5:00 AM.

1-Bureau  
1-Chicago  
[redacted] (2)

62-117166 95X  
ENCLOSURE

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

addition, it is expected that information can be obtained through this source concerning mechanics to be implemented by the MMC with regard to demonstrations at the forthcoming Democratic National Convention. This source can also provide valuable information concerning the establishment of coffee houses and implementation of procedures to "creatively disrupt the military."

Recommendation

In view of the maximum security, it is recommended that authority be granted to make contact with this source on or about July 16, 1968, sometime between the period 1:00 AM to 3:00 AM.

July 9, 1968  
NOT FOR FILE

NATIONAL MOBILIZATION COMMITTEE  
TO END THE WAR IN VIETNAM (NMC)

Facts

The Chicago Office of the NMC is located in Room 315, 407 South Dearborn Street, Chicago, Illinois. The NMC is primarily controlled by THOMAS DAVIS, key activist Chicago Office and Chicago area coordinator of the NMC.

The NMC is at the present time the leading organization mobilizing anti-war demonstrations against the Democratic National Convention to be held the last week of August, 1968. In addition, the NMC has an ad hoc committee known as Number of Support which is currently organizing coffee houses outside of various military bases throughout the country for the purpose of enticing military personnel to these coffee houses for "creative disruption of the military."

Security

Various security exists [redacted] potential confidential source-racial matters. Chicago Office is [redacted]

407 South Dearborn, Chicago [redacted] for the building housing the NMC. He stated [redacted]

[redacted] displays an extremely cooperative attitude and expressed a willingness to be of assistance to the FBI [redacted] will not have knowledge of this anonymous source development.

Chicago indices, a check of the Chicago Credit Bureau records and Chicago Police Department records failed to reflect any adverse information regarding [redacted]

Anticipated Productivity

It is expected that this source will be able to furnish information concerning the present leadership of the NMC in the Chicago area, its activities and sources of finances. In

1-Bureau  
1-Chicago (100- [redacted])

(2) [redacted]

DATE

3-2-82

BY

SP4JRM/al

62-117166 - 95X

Mr. ROBERT ROY: I am sorry that copies of the bills that are available are required that these bills be returned to the House for the purpose of being so that they might be considered by the House. I am sorry that the Department is not for the purpose of the House.

# 1 ME

10

MAILED 3  
JAN 12 1977  
FBI

APR 16 1977

# STAINED



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

New York, New York

January 7, 1977

In Reply, Please Refer to  
File No.

115  
Mr. Clarence M. Kelley  
Director  
Federal Bureau of Investigation  
Washington, D. C.

Dear Mr. Kelley:

This letter is in regard to attorney's fees for Special Agents of the Federal Bureau of Investigation (FBI), which were the result of subpoenas and/or requests to be interviewed by attorneys from the United States Department of Justice in connection with the Civil Rights Division's inquiry into the FBI's Weather Underground investigations.

ALL  
B/K  
D/K  
Enclosed herewith is a copy of the bills for 29 Special Agents of the FBI from [REDACTED] Attorney and Counselor at Law [REDACTED] New York 11501.

Each of the Agents is aware of the bill and agree that the attorney's fees should be paid for by the Department of Justice since these expenses were incurred as a result of actions taken in the course of their employment.

I, therefore, respectfully request that you forward the enclosed bills to the Attorney General of the Department of Justice with a recommendation that they be paid by the Department.

Very truly yours,

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 3-2-82 BY SP4 Jem/cal

Special Agent  
Federal Bureau of Investigation  
New York, New York

ENCLOSURE

REC-31

62-113K66  
9 JAN 19 1977

26

Encls. 29

84 FEB 4 1977

ENCLOSURE

TERMINAL

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UNITED STATES GOVERNMENT

# Memorandum

TO : Director, FBI  
Attn: Finance & Personnel Section  
Legal Counsel Division

DATE: 1/7/77

FROM : *[Signature]*  
ADIC, New York

SUBJECT: CRIMINAL INVESTIGATIONS  
SURREPTITIOUS ENTRIES

**ALL (6/6)  
(7/6)**

Enclosed herewith is a letter from SA *[Redacted]* New York Office, as well as bills for 29 Special Agents of the FBI from attorney *[Redacted]*

Enclosed bills from Attorney *[Redacted]* are in connection with captioned matter.

It is noted that SA *[Redacted]* is currently *[Redacted]* and attorney *[Redacted]* represents that organization and/or its members.

3-Bureau (Enclosures)  
1-New York

*30 ENCLOSURE  
see serial  
97*

(4)

*Relay to  
Legal Counsel Div  
1/10/77*

REC-31

9 JAN 19 1977

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 3-2-82 BY SP4JRM/cal

84



5010-110

4-1977

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



ADIC, New York

1-12-77

Director, FBI

1 - Mr. Long  
1 - Mr. Mintz

*Civil Rights Division*  
**CRIMINAL INVESTIGATIONS  
SURREPTITIOUS ENTRIES**

*PERS. SEC. UNIT*

*ser 98*  
Reference New York letter to Bureau 1-7-77 captioned as above.

Referenced New York letter enclosed one copy each of individual bills for professional services rendered by an attorney for 29 Special Agents. The enclosures do not provide acceptable documentation of specific individual requests by the Special Agents.

Advise the Agents that requests for the Department of Justice to pay the bills should be made by individual letters of request from each Agent desiring to make such request. Letters should be addressed to the Attorney General and should include sufficient information justifying the request to afford a reasonable basis for the Attorney General to make a determination in each instance. Such letters may be forwarded to FBI Headquarters for delivery to the Attorney General.

**ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED**

**DATE 3-2-82 BY SP4 JAM/cal**

APPROVED: \_\_\_\_\_  
Director \_\_\_\_\_  
Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_  
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MAILED 24  
JAN 12 1977

EX 104 REC-31

9 JAN 19 1977

8 FEB 1 1977

MAIL ROOM ☐ TELETYPE UNIT ☐

Mr. J. Stanley Pettinger  
Assistant Attorney General  
Civil Rights Division

1/25/77

Thomas J. Johnson, Deputy Assistant Director,  
Office of Professional Responsibility

POSSIBLE SURREPTITIOUS ENTRIES  
CHICAGO DIVISION, FBI

FEDERAL GOVERNMENT

Enclosed you will find Xerox copies of two serials located in the Chicago Office in the "do not file" file, indicating there was possibly a surreptitious entry involved concerning both of the serials.

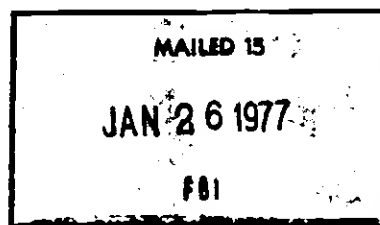
As you indicated in our telephone conversation of January 12, 1977, you wish to have copies of these serials and you will advise me as to any action you may take concerning them.

Enclosures - 2

TMJ  
(7)

- 1 - Mr. Long
- 1 - Mr. Mintz
- 1 - Mr. Hamilton
- 1 - Mr. Johnson (Direct)

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
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DATE 3-2-82 BY SP4JRM/cal  
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REC-93

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84 JAN 12 1978

MAIL ROOM ☒

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FM TAMPA (66-231 SUB 1)(P)

TO DIRECTOR ROUTINE

BT

CLEAR

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Director's Sec'y \_\_\_\_\_

ALL (46), OKC

ATTENTION: LEGAL COUNSEL DIVISION

CIVIL RIGHTS DIVISION, CRIMINAL INVESTIGATIONS OF SURREPTITIOUS  
ENTRIES.

ON FEBRUARY 2, 1977, RICHARD JOHNSTON, ATTORNEY, CIVIL  
RIGHTS DIVISION, DEPARTMENT OF JUSTICE, TELEPHONICALLY CONTACTED  
SA [REDACTED] TAMPA DIVISION, AND ADVISED SA [REDACTED]  
THAT HE DESIRED TO INTERVIEW HIM IN CONNECTION WITH CERTAIN  
ACTIVITIES WHICH HE MAY HAVE BEEN INVOLVED IN WHILE ASSIGNED TO  
THE STATEN ISLAND RA OF THE NEW YORK DIVISION. SA [REDACTED] AGREED  
TO BE INTERVIEWED BY JOHNSTON AT WASHINGTON, D. C., ON FEBRUARY  
10, 1977.

ST-105

REC-33

62-11111-101

UACB, SA [REDACTED] WILL ISSUE A GTR FOR TRAVEL AND WILL PROCEED  
TO WASHINGTON, D. C., FOR THAT INTERVIEW.

6 FEB 7 1977

BT

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-2-82 BY SP4 JRM/cal

CC: GENERAL INV. DIV.

84 FEB 15 1977

February 3, 1977

**PROPOSED CHANGE IN  
MANUAL OF RULES AND REGULATIONS**

Part I, Section 1, Subsection A, 3, headed "Illegal Activities," page 3.  
Add a new last (fifth) paragraph to A, 3 on page 3 as follows:

All of the foregoing prohibitions, including those pertaining to illegal surreptitious entries, are applicable to all phases of the FBI's work, criminal, civil, domestic security and foreign counterintelligence.

- 1 - Mr. Mintz (Route through for review)
- 1 - Mr. Fehl (Route through for review)
- 1 - Mr. Gallagher (Route through for review)
- 1 - Mr. Leavitt (Route through for review)
- 1 - Mr. T. M. Johnson (Attn: Mr. Stoy (Route through for review))

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-2-82 BY SP10

(10)

(6)(6), (7)(c)

NOTE: The above-cited portion of the Manual of Rules and Regulations concerning "Illegal Activities" presently contains four paragraphs delineating the various types of illegal, and thus prohibited, activities for FBI personnel, including such things as entrapment or other improper, illegal or unethical tactics in procurement of evidence; illegal mail openings; illegal electronic surveillances; and brutality, physical violence, duress, and intimidation. It is believed that this portion of the Manual should have the addition quoted above for the two-fold purpose of emphasizing the extreme importance of our prohibitions against illegal surreptitious entries and, more importantly, to make it crystal clear that the prohibitions are applicable to all phases of the FBI's work.

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Director Sec'y \_\_\_\_\_

FEB 18 1977

MAIL ROOM ☐

TELETYPE UNIT ☐

APPROVED:

EA

Director

Assoc. Dir.

Dep. AD Adm.

Dep. AD Inv.

3 FEB 14 1977

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Legal Coun.

Plan. & Eval.

Rec. Mgnt.

Spec. Inv.

Training

Telephone Rm.

Director Sec'y

RECEIVED

The Attorney General

April 15, 1977

Director, FBI

FEDERAL GOVERNMENT

1 - Mr. Held  
1 - Mr. Boynton  
1 - Mr. Mintz

**CIVIL RIGHTS DIVISION INVESTIGATION  
OF ALLEGATIONS OF SURREPTITIOUS  
ENTRIES, MAIL OPENINGS, WIRETAPPING,  
AND OTHER OFFENSES**

**of SURREPTITIOUS ENTRIES**

The recent indictment of a former FBI supervisor on charges of illegal mail opening, wiretapping, and other offenses has caused great concern in the FBI. While I cannot address the specific issues in regard to that indictment both because I do not have knowledge of relevant facts and because it would be improper for me to interfere with the grand jury process, I would like to bring to your attention some general information concerning the FBI as an institution in order that you might determine its relevance to the indictment and to other matters which may yet be pending resolution in the Civil Rights Division investigation.

Based on public statements of former officials of the FBI and on comments made by others currently employed by the FBI, it is reasonable to conclude that activities such as those charged in the indictment were the product of an atmosphere generated by the FBI as an institution. The final prosecutive opinion rendered by the Department of Justice in regard to allegations of illegal mail opening pursuant to a program of the Central Intelligence Agency indicated that it was based, in part, on the inability of the Government to prove the absence of Presidential authority, but it indicated that it was also based on the judgment that it was not feasible to successfully prosecute under circumstances where the activity was chargeable to an institution functioning during a particular era rather than to specifically identifiable individual defendants. Again, while not addressing the specific issues involved in the indictment insofar as the exercise of Presidential authority, I would like to bring to your attention my concern that activities

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Telephone Rm. \_\_\_\_\_

JAM  
(6)

REC-108

APR 19 1977

**Signed by me 4-15-77**

Hand-delivered to [unclear] (AG's secretary) 4-15-77 at 9:52

*Con Kelley*

84 APR 27 1977

TELETYPE UNIT

The Attorney General

which may have occurred as a result of institutional failures on the part of the FBI should be so characterized in your deliberations.

I do not intend to imply that your previous consideration of these matters was based on less than all of the facts available to you. Instead, I am requesting that you review the factual results of the Civil Rights Division investigation in light of the possibility that they should be regarded as institutional failures primarily and that any individual culpability is secondary and such failure and culpability should be dealt with in a manner that would not only vindicate the law but would also restore confidence in the FBI as an institution. My personal efforts in that regard have been made known to you, to the employees of the FBI, and to the general public. It is my belief that a policy of openness and adherence to the law will avoid similar institutional failures in the future. In that atmosphere, individual acts of irresponsibility or illegality may be dealt with accordingly in the future.

If you approve my request that you review these matters as I have suggested, it would assist me in the administration of this Bureau if you would so advise me by letter and if you would so advise me of the results of your deliberations at your earliest convenience.

APPROVED:

Director

Assoc. Dir.

Asst. Dir.:

Adm. Serv.

Crim. Inv.

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1 - Mr. Held  
1 - Mr. Adams  
1 - Mr. McDermott  
1 - Mr. Wints  
April 19, 1977

The Attorney General

FEDERAL GOVERNMENT

Director, FBI

1 - Mr. Hotis

UNAUTHORIZED DISCLOSURES CONCERNING  
CIVIL RIGHTS DIVISION INVESTIGATION  
OF SURREPTITIOUS ENTRIES

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-3-82 BY SP4

As you are aware, the repeated unauthorized disclosures of information concerning the Department's investigation into alleged wrongdoings by present and former employees of this Bureau has been a matter of serious concern to me. I know that you share this concern and are doing your utmost to guard against a repetition of this conduct.

One recent example of these disclosures is found in the March 31, 1977, issue of the Washington Post, captioned "Indictments Urged of FBI Agents in Illegal Break-Ins." The article announced that Justice Department officials had recommended indictments of "low-level personnel involved in illegal burglaries as a stepping-stone to possible further prosecution of approximately six present and former FBI executives." As you know, this is not an isolated incident. Similar articles have appeared repeatedly over the past several months, discussing the progress of the Department's investigation, speculating on the likelihood of indictments, identifying persons who are the principal subjects of the investigation, and disclosing matters such as trial strategy that could be known only to attorneys or others in the Department of Justice who were closely connected with the investigation.

EX-103

REC 61

62-117160-10

On June 30, 1976, I sent a memorandum to the Assistant Attorney General, Civil Rights Division, J. Stanley Pottinger, inquiring whether an investigation should be conducted regarding disclosures that appeared earlier that month in the New York Post. Mr. Pottinger replied that "no such investigation should be undertaken." On October 21, 1976, I forwarded a complaint

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
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Telephone Rm. \_\_\_\_\_  
Director Sec'y \_\_\_\_\_

22 APR 19 1977

MAILED 2  
APR 14 1977  
FBI

CONTINUED - OVER

54 APR 26 1977

TELETYPE UNIT



The Attorney General

form to the Public Integrity Section of the Criminal Division, enclosing a copy of an article in the New York Times of the same date, noting that the information contained therein might involve a violation of the Privacy Act. In reply, Assistant Attorney General Richard L. Thompson advised that no investigation is conducted at that time, but advised that the Criminal Division would review this decision at such time as the Civil Rights Division has conducted its inquiry into the illegal entries.

In my opinion, the deliberate disclosure of this information may constitute a violation of the criminal provisions of the Privacy Act. It is certainly contrary to explicit regulations of the Department of Justice, which are subject to severe administrative penalties. There may also have been a flagrant breach of the security, grand jury proceedings and of the ethical and professional standards of the Bar. One can only speculate on whether the resultant publicity has prejudiced the ability of prospective defendants to obtain a fair trial. I am sure you will agree that these matters take on special significance where personnel of the Department of Justice may be involved.

I certainly do not intend to minimize the seriousness of the charges that have been made against present and former members of this Bureau. I recognize also the necessity for investigation and the need for a prompt and impartial resolution of the allegations. It is for this reason that I deferred to the Department of Justice and avoided making any inquiries regarding the investigation. But as Director of the FBI I have a special responsibility to insure that our employees are treated in a fair and impartial manner, particularly where allegations of misconduct may result in criminal charges. They are entitled to no more--and certainly no less--than any other citizen in similar circumstances.

I therefore respectfully request that this matter be referred to the Office of Professional Responsibility in accordance with 28 C.F.R. § 0.101 and that you be kept advised of the progress of the inquiry.

For your further information, I have attached copies of some of the newspaper articles that have appeared concerning this investigation.

Enclosures

CONTINUED - OVER



Note: This letter formally requests that the Office of Professional Responsibility inquire into the unauthorized disclosures of information concerning the Department's investigation into alleged wrongdoings by present and former Bureau personnel. Although we have had prior correspondence with the Department in this matter, neither of our early communications was directed to the Attorney General; nor did we explicitly request an inquiry by the Office of Professional Responsibility. That Office reviews allegations against Departmental employees involving violations of law, Departmental regulations, or Departmental standards of conduct. It was created primarily to "make certain that Departmental employees perform their duties in accord with the professional standards expected of the Nation's principal law enforcement agencies." Accordingly, this matter seems uniquely suited to the responsibilities of that Office.

APPROVED:

Director.....  
Assoc. Dir. ....  
Dep. AD Adm. ....  
Dep. AD Inv. ....

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UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. Moore *mc*

DATE: 4/18/77

FROM : L. E. Rhyne *LR*

SUBJECT: CIVIL RIGHTS INVESTIGATIONS  
SURREPTITIOUS ENTRIES

**ALL (L/6), (ZKC)**

- 1 - Mr. Held
- 1 - Mr. McDermott
- 1 - Mr. Adams
- 1 - Mr. Moore
- 1 - Mr. Ingram
- 1 - Mr. Rhyne
- 1 - [REDACTED]
- 1 - Each Assistant Director

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_  
Asst. Dir.: \_\_\_\_\_  
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Telephone Rm. \_\_\_\_\_  
Director Sec'y \_\_\_\_\_

**PURPOSE:** The purpose of this memorandum is to advise of the comments of [REDACTED] concerning the indictment of former Agent John Kearney.

**RECOMMENDATION:** None. For information.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-3-92 BY SP4 JEM/AL

APPROVED: *[Signature]*

Director \_\_\_\_\_  
Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_

Adm. Serv. \_\_\_\_\_ Legal Coun. \_\_\_\_\_  
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Intell. \_\_\_\_\_ Training \_\_\_\_\_

**DETAILS:** On 4/15/77 SA [REDACTED] White-Collar Crime (WCC) Section, Criminal Investigative Division, contacted [REDACTED] concerning a request by the State of Arizona for a speaker at a WCC school. [REDACTED] now a private attorney, was formerly the [REDACTED] of the U. S. Attorney's Office in Washington, D. C. He was also the [REDACTED] to U. S. Attorney Earl Silbert in the Watergate prosecutions. He is a highly respected attorney in the District and has lectured at Quantico.

Following the discussion concerning the school, [REDACTED] stated, "I am irate over the indictment of the Agent in New York. Those guys over at the Department are reprehensible and irresponsible to even consider such a thing. [REDACTED] went on to state he had represented some of the CIA people in their problem and the Department didn't prosecute them."

(19)

CONTINUED - OVER 26 1977

XEROX

APR 27 1977

5 MAY 6 1977

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

PERIODIC UNIT

Memorandum to Mr. Moore  
Re: Civil Rights Investigations

He is defending one CIA agent in a civil suit arising out of the mail openings. He added, "I am willing to defend any FBI Agent free of charge." He closed the conversation with "Let me know if I can help."

(b)(6)  
(b)(7)(C) [REDACTED] was thanked for his support and was told his thoughts would be conveyed to Bureau officials.

XXXX  
XXXX  
XXXXFEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET1

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☐ Deleted under exemption(s) \_\_\_\_\_ with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☒ Document(s) originating with the following government agency(ies) DEPT. OF JUSTICE  
CIVIL RIGHTS DIVISION, was/were forwarded to them for direct response to you.

\_\_\_\_\_ Page(s) referred for consultation to the following government agency(ies); \_\_\_\_\_ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

\_\_\_\_\_ Page(s) withheld for the following reason(s):  
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☐ For your information: \_\_\_\_\_  
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- ☒ The following number is to be used for reference regarding these pages:

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UNITED STATES GOVERNMENT

# Memorandum

TO : The Associate Director

DATE: 5-3-77

FROM : Legal Counsel *[Signature]*

SUBJECT: CIVIL RIGHTS DIVISION INVESTIGATION  
OF SURREPTITIOUS ENTRIES AND OTHER  
ALLEGED OFFENSES

## PURPOSE:

The purpose is to report a request by Congressman Thomas Luken (Ohio) for public information regarding captioned matter.

## SYNOPSIS AND DETAILS:

At 3:10 p. m. on May 3, Congressman Thomas Luken of Ohio telephonic advised me that he is interested in receiving all information available concerning captioned matter with particular emphasis on the indictment of John Kearney. I told the Congressman that investigation was conducted by the Civil Rights Division of the Department and that the Bureau has not been furnished the results of that investigation. I told him that recently two groups of Special Agents met with the Attorney General and expressed their concerns regarding the indictment of Kearney and that the Attorney General had indicated his responsibility was to proceed with the indictment. I told the Congressman that it was only that sort of information that the Bureau could furnish him at this time.

Congressman Luken asked me whether any of the Director's statement concerning these matters had been made publicly and whether there were any newspaper clippings that might be relevant. He also asked whether there had been any remarks made in Congress concerning these matters. I told him that the Director had not made any public comment and that there were remarks published in the Congressional Record and in the public press by others. He requested assistance in locating such public material and I indicated to him that we would endeavor to aid him to that extent.

*[Handwritten: 114]* XEROX

MAY 17 1977

- 1 - Mr. Daly
- 1 - Mr. Boynton
- 1 - Mr. Mintz

JAM

(4)

ST-103

REC-45

CONTINUED - OVER

U.S. Savings Bonds Regularly on the Payroll Savings Plan

97 MAY 27 1977

Assoc. Dir.  
Dep. AD Adm.  
Dep. AD Inv.  
Asst. Dir.:  
Adm. Serv.  
Crim. Inv.  
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Tech. Serv.  
Training  
Public Affs.  
Telephone Rm.  
Director's Sec'y

Memo Legal Counsel to the Associate Director  
 Re: Civil Rights Division Investigation of Surreptitious  
 Entries and Other Alleged Offenses

RECOMMENDATION:

The Office of Congressional Affairs will furnish Congressman Luken with copies of the Director's public statements and any available references to published news items and remarks appearing in the Congressional Record.

4/9/77 Rep. Luken furnished cc of Director's press statement of 4/14/77 as well as Cong. Record statements of Reps. Wicker, Harsha, Stratton and Sen. Thurmond. He was advised to contact Cong. Ruck Soc of Librarians of CA for add'l public access.  
 4/11/77 - PTT

APPROVED:

Director.....  
 Assoc. Dir.....  
 Dep. AD Adm.....  
 Dep. AD Inv.....

Adm. Serv.....  
 Ext. Affairs.....  
 Fin. & Pers.....  
 Gen. Inv.....  
 Ident.....  
 Intell.....

Legal Coun.....  
 Plan. & Insp.....  
 Rec. Mgt.....  
 S. & T. Serv.....  
 Spec. Inv.....  
 Training.....

Airtel

1 - J. B. Adams  
1 - J. A. Mintz  
1 - A. J. Decker, Jr.

5/9/77

(Attn: [redacted])

1 - D. W. Moore, Jr.  
1 - J. D. Maurice  
1 - [redacted]

To: ADIC, New York

From: Director, FBI

IDENTIFICATION OF SOURCE USED  
IN A FEDERAL BUREAU OF INVESTIGATION  
MEMORANDUM;  
FREEDOM OF INFORMATION - PRIVACY ACT  
(FOIPA) MATTER  
(BUDED COB 5/18/77)

*Surreptitious  
Entry Investigation*

66-1372-34-209

By letter dated February 21, 1962, captioned "JUNE" you advised FBIHQ that symbol number [redacted] was assigned to a highly confidential source, namely the U. S. Festival Committee (Eighth World Youth Festival) Room 807, 460 Park Avenue South, New York, New York, for the date 2/16/62. This source was recontacted by the New York Office on 6/7/62.

Material obtained from [redacted] was subsequently included in an FBI memorandum dated July 2, 1962.

In connection with a pending FOIPA action, the Bureau has reviewed this memorandum as well as pertinent Bureau files but cannot clearly establish the exact nature of this source, whether it was a surreptitious entry or another sensitive investigative technique.

The identity of this source will affect the FOIPA statutory exemptions available for use and the extent of the information to be released.

This memorandum was also examined by the FOIPA Appeals Unit, Department of Justice, with their recommendation that its release be held in abeyance pending the Bureau's determination as to the identity of the source.

In view of the foregoing, you should conduct a thorough

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_  
Asst. Dir.:  
Adm. Serv. \_\_\_\_\_  
Ext. Affairs \_\_\_\_\_  
Fin. & Pers. \_\_\_\_\_  
Gen. Inv. \_\_\_\_\_  
Ident. \_\_\_\_\_  
Inspection \_\_\_\_\_  
Intell. \_\_\_\_\_  
Laboratory \_\_\_\_\_  
Legal Coun. \_\_\_\_\_  
Plan. & Eval. \_\_\_\_\_  
Rec. Mgnt. \_\_\_\_\_  
Spec. Inv. \_\_\_\_\_  
Training \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_  
Director Sec'y \_\_\_\_\_

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3-3-82 BY SPUR/CLM/jam

OCT 27 1977

79 NOV 08 1977

MAIL ROOM ☒

TELETYPE UNIT ☐

GPO : 1978 O - 207-526

Report to ADIC, New York  
RE: IDENTIFICATION OF SOURCE  
IN A FEDERAL BUREAU OF INVESTIGATION  
MEMORANDUM;  
FOIPA MATTER

Review of all pertinent files in New York and take  
whatever other steps are necessary to identify the  
nature of this source. If the review of files does not pinpoint  
the nature of the source, furnish all material supporting  
it.

Submit results by COB 5/18/77.

ALL  
6X2)

NOTE: J. M. [redacted] memorandum to Mr. A. J. Decker, Jr.,  
dated 3/10/77, recommended that Mr. J. B. Adams determine  
the identity of [redacted] which is set forth in T. D.  
Rushing to J. B. Bland memorandum dated 7/2/62. Serial  
5270X of Bureau file 66-2542-3-34, which is maintained in  
the Special File room, is New York's letter of February 21,  
1962, to the Director captioned "JUNE." This letter does  
not contain any additional information that would further  
identify [redacted] other than that which is set forth in  
the first paragraph of this letter. By letter dated 4/18/77,  
we addressed a letter to the Assistant Attorney General,  
Civil Rights Division, requesting authority for us to make  
necessary inquiries to determine the nature of this source.  
The reason for the request was to be absolutely sure that  
any inquiry by us to establish the identity of [redacted]  
would not interfere with the Civil Rights Division's investi-  
gation of surreptitious entries. By letter dated 4/29/77  
the Department advised they have no objection to us taking  
whatever steps are necessary to determine the nature of the  
source.

APPROVED: [redacted]

Director

Assoc. Dir.

AD Adm.

AD Inv.

Adm. Serv.

Crim. Inv. *M/AD*

Fin. & Pers.

Ident.

Intell.

Laboratory

*m/p*  
Legal Coun.

Plan. & Insp.

Rec. Mgmt.

Spec. Inv.

Tech. Servs.

Training

Public Affs. Off.



FBI

## TRANSMIT VIA:

☐ Teletype  
☐ Facsimile  
☒ Airtel

## PRECEDENCE:

☐ Immediate  
☐ Priority  
☐ Routine

## CLASSIFICATION:

☐ TOP SECRET  
☐ SECRET  
☐ CONFIDENTIAL  
☐ E F T O  
☐ CLEAR

Date 5/26/77

TO: DIRECTOR, FBI (62-116065)  
 (ATTN: DOCUMENT CLASSIFICATION  
 OFFICER)(SECURITY OFFICER)

FROM: ADIC, NEW YORK (62-15295)(P)

SUBJECT: <sup>X</sup> ALLEGATIONS OF UNAUTHORIZED  
 LEAKS OF CLASSIFIED INFORMATION  
 (SURREPTITIOUS ENTRY INVESTIGATION)  
 (BUDED 5/27/77)  
 (OO: BUREAU)

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 3-3-82 BY SP4 JRM

ReBuairtel, dated 5/9/77 with enclosures and NYairtels,  
 dated 5/16/77, 5/20/77, 5/23/77 and 5/24/77.

Transmitted herewith are five copies of an LHM.

Interviews of personnel of the New York Office on  
 5/23/77 and on 5/25/77, were conducted jointly by SAS [REDACTED]  
 and [REDACTED]. The telephonic interview of  
 SA [REDACTED] was handled by SA [REDACTED].

Concerning the information provided by Supervisor  
 [REDACTED] which is set out in an FD-302 in the attached  
 LHM, it is noted that Supervisor [REDACTED] is not in possession  
 of any concrete evidence which would identify any specific  
 individual or individuals within the Department of Justice  
 as the source of the alleged disclosures. Accordingly, Supervisor  
 [REDACTED] did not furnish an affidavit. He stated that if the  
 content of the interview is adjudged to be proper for the subject  
 matter of an affidavit, he is perfectly willing to set forth  
 this information in affidavit form.

2 - Bureau (Encls. 5)(RM)  
 1 - New York

(4)

ENCLOSURE

NOT RECORDED

102 JUN 15 1977

7 MAY 28 1977

Approved: 57 JUN 1 1977Transmitted 18

(Number)

(Time)

Per DR

REQUEST OF THE BUREAU

It is noted that New York airtel, dated 5/16/77 requested the Bureau to ascertain from the Department and/or Bureau officials who conducted inquiries in the surreptitious entry investigation at the NYO, a listing of personnel who were assigned to Squad 47 of the NYO during the pertinent period.

In addition, it is suggested that the Bureau ascertain from the Department the identities of all FBI personnel who were subpoenaed and/or interviewed and/or appeared before a Grand Jury in connection with the surreptitious entry investigation conducted by the Civil Rights Division of the Department of Justice during the past year.

After a listing of these personnel and Squad 47 personnel is obtained, it is suggested that the Bureau ascertain the current offices of assignment of these personnel from the Personnel Section, inasmuch as many of these individuals have been transferred from the NYO.

The Bureau may then desire to set out leads to have these personnel interviewed in accordance with instructions set out in Bureau airtel, dated 5/9/77.

LEADS

NEW YORK

AT NEW YORK, NEW YORK. 1. Will interview Supervisor [REDACTED] when available.

2. Will await receipt from the Bureau of a listing of personnel currently assigned to the NYO who had been assigned to Squad 47 during the pertinent period, and a listing of personnel currently assigned to the NYO who were subpoenaed and/or interviewed and/or appeared before a Grand Jury in connection with the surreptitious entry investigation conducted by the Civil Rights Division of the Department of Justice during the past year, and will interview these personnel, if so desired by the Bureau.

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. Decker

1 - Mr. J. J. McDermott  
1 - Mr. J. B. Adams  
1 - Mr. H. N. Bassett  
1 - Mr. R. E. Long

DATE: 6/1/77

FROM :

1 - Mr. J. A. Mintz  
1 - Mr. A. J. Decker, Jr.

SUBJECT: ALLEGATIONS OF UNAUTHORIZED LEAKS  
OF CLASSIFIED INFORMATION  
EXECUTIVE ORDER 11652

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-3-82 BY SP4JRM/ra

**PURPOSE:** To request approval for additional internal investigation relative to unauthorized leaks of classified information arising out of the Department's Civil Rights Division "Surreptitious Entry Investigation"

**DETAILS:** As reported in memorandum [redacted] to Mr. Decker, 5/5/77, Leon Ulman, Chairman, Department Review Committee (DRC) requested in a memorandum dated 4/21/77 that the Bureau's Document Classification Officer (Security Officer) initiate an internal investigation concerning alleged unauthorized leaks of classified information arising out of the Civil Rights Division's "Surreptitious Entry Investigation." This request is pursuant to Title 28, Code of Federal Regulations, Part 17.55, which is the implementation directive for Executive Order 11652 which, in part, requires the Security Officer of each division to conduct inquiries to determine whether corrective measures and appropriate administrative, disciplinary or legal action should be taken in a case of unauthorized disclosure of classified information. Inquiry findings and recommendations of the Security Officer must be reported to the Department Security Officer and the DRC. In accordance with Mr. Ulman's request and with your approval, airtel dated 5/9/77 requested New York to conduct appropriate investigation concerning access to and disposition of certain classified documents in New York SAC Folder 25 which may have been subject to unauthorized disclosure. By airtel dated 5/20/77 from New York, the following Bureau officials were identified as having access to the material in question: Assistant Director H. N. Lassett; Assistant Director R. E. Long and his investigative staff; SAC J. E. Otto, Minneapolis Division; SAC P. A. McNiff, Tampa Division; SAC C. E. Price, Richmond Division; and SA [redacted] Legal Counsel Division.

Enclosures  
62-116065

NOT RECORDED CONTINUED - OVER  
191 JUL 13 1977

ADDENDUM, LEGAL COUNSEL DIVISION - PAGE 4

79 JUN 26 1977

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Assoc. I  
Dep. A  
Dep. A  
Asst. Dir.  
Adm. S  
Crim. I  
Fin. &  
Ident.  
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Spec. I  
Tech.  
Trainin  
Public A  
Telephon  
Director

Memorandum to Mr. Decker  
Re: Allegations of Unauthorized Leaks  
of Classified Information  
62-116065

Assistant Director Long advised on 5/25/77 he was precluded from releasing material or discussing matters relating to the Civil Rights Division "Surreptitious Entry Investigation" based on an agreement between the Bureau and the Department of Justice. He suggested the documents contained in New York SAC Folder 25, which is now maintained at FBIHQ, should be provided through the Department and those Bureau officials assigned to that investigation who had access to the documents in question be interviewed by Departmental officials conducting the Department's internal investigation concerning unauthorized disclosure of classified information in this matter.

In view of the above, it is requested that you approve the following required to pursue the Bureau's responsibility in this internal investigation.

RECOMMENDATION: 1. That the attached letter to Leon Ulman, Chairman, DRC, be approved in order to (a) advise what action the Bureau is taking in this matter, and (b) to request the Department review documents and interview certain Bureau officials not available to the FBI because of Departmental agreement.

APPROVED: <i>[Signature]</i>	Adm. Serv. _____	Legal Coun. _____
Director _____	Off. Inv. _____	Ident. _____
Assoc. Dir. _____	Comm. & Public Aff. _____	Rec. Mgmt. _____
Sup. AD _____	Files _____	Spec. Inv. _____
Dep. AD Inv. _____	Intell. _____	Tech. Serv. _____
	Laboratory _____	Training _____
		Public Aff. Off. _____

CONTINUED - OVER

Memorandum to Mr. Decker  
 Re: Department Review Committee  
 62-117024

2. That the attached airtel be sent to the SACs Minneapolis, Richmond and Tampa, requesting each provide an affidavit concerning their knowledge of access to and/or unauthorized disclosure of classified information contained in New York SAC Folder 25.

APPROVED: <i>[Signature]</i>	Adm. Serv. _____	Legal Coun. _____
Director _____	Crim. Inv. _____	Plan. & Insp. <i>[Signature]</i>
Assoc. Dir. _____	Ident. & Recs. _____	Spec. Inv. _____
Dep. AD Adm. _____	Intell. _____	Tech. Servs. _____
Dep. AD Inv. _____	Laboratory _____	Training _____
		Public Affs. Off. _____

3. That approval be given to interview and obtain affidavits from Assistant Director Bassett and [REDACTED] Legal Counsel Division, in connection with this matter.

APPROVED: <i>[Signature]</i>	Adm. Serv. _____	Legal Coun. _____
Director _____	Crim. Inv. _____	Plan. & Insp. <i>[Signature]</i>
Assoc. Dir. _____	Ident. & Recs. _____	Spec. Inv. _____
Dep. AD Adm. _____	Intell. _____	Tech. Servs. _____
Dep. AD Inv. _____	Laboratory _____	Training _____
		Public Affs. Off. _____

Memorandum D. Ryan to Mr. Decker  
Re: Allegations of Unauthorized Leaks  
of Classified Information  
Executive Order 11652

ADDENDUM, LEGAL COUNSEL DIVISION, 6-7-77

The following is being set forth in response to Mr. Revell's routing slip of 6-6-77 in which he requested Legal Counsel Division's views on this matter.

The interviews and affidavits for which permission is sought concern a matter which could be the subject of criminal charges under Title 18, United States Code, Section 793(d), (copy attached). Since the individuals who are to be interviewed and whose affidavits are to be secured are identified as having had access to information which was wrongfully disclosed, this necessarily means that they are, in effect, suspects in any potential criminal prosecution. Therefore, it is our recommendation that such individuals be advised of their rights before any interview and the securing of affidavits.

APPROVED:

Director *DTJ*

Assoc. Dir. *DTJ*

Dep. AD Adm. *DTJ*

Dep. AD Inv. *DTJ*

Adm. Serv. \_\_\_\_\_

Crim. Inv. \_\_\_\_\_

Ext. & Pers. \_\_\_\_\_

Ident. \_\_\_\_\_

Intell. \_\_\_\_\_

Laboratory \_\_\_\_\_

Legal Coun. *[Signature]*

Plan. *[Signature]*

Rec. Mgmt. *[Signature]*

Spec. Inv. \_\_\_\_\_

Tech. Servs. \_\_\_\_\_

Training \_\_\_\_\_

Public Affs. Off. \_\_\_\_\_

ALL  
(b)(6)  
(b)(7)(C)

ADDENDUM    RECORDS MANAGEMENT DIVISION  
DOCUMENT CLASSIFICATION OFFICE [REDACTED] 6/15/77

In accordance with the recommendation of the Legal Counsel Division in an addendum dated 6/7/77 to this memorandum, those Bureau officials furnishing affidavits will be advised of their rights before being interviewed. See addition to last paragraph, page 2, of the airtel and item 3, page 2, of [REDACTED] letter to Mr. Ulman, both of which are attached to the cover memorandum.

APPROVED: *[Signature]*

*[Signature]*  
Director \_\_\_\_\_  
Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_

Adm. Serv. _____	Legal Coun. _____
Crim. Inv. _____	Plan. & Insp. _____
Ident. & Recs. _____	Rec. Mgmt. _____
Ident. _____	Spec. Inv. _____
Intell. _____	Tech. Servs. _____
Laboratory _____	Training _____
	Public Affs. Off. _____

Mr. Leon Ulman, Chairman  
Department Review Committee

FEDERAL GOVERNMENT

June 2, 1977

FBI

ALLEGATION OF UNAUTHORIZED LEAK  
OF CLASSIFIED INFORMATION  
(SURREPTITIOUS ENTRY INVESTIGATION)

EXECUTIVE ORDER

Reference is made to your memorandum dated April 21, 1977, instructing that pursuant to Title 28, Code of Federal Regulations, Part 17, an internal investigation be conducted regarding alleged unauthorized disclosures of classified information in connection with the Civil Rights Division "Surreptitious Entry Investigation."

In accordance with your request, enclosed is a copy of a memorandum prepared by this Bureau's New York Office dated May 26, 1977, setting forth the results of interview of 14 employees of this Bureau's FBI office. This memorandum also contains an assessment relating to the damage resulting from the unauthorized disclosures of classified national security information which have appeared in the media in connection with the "Surreptitious Entry Investigation." A copy of the enclosure is also being furnished to the Department Security Officer with a copy of this memorandum.

This investigation is continuing within the FBI and you will be advised of further results.

NOT RECORDED

192 JUN 15 1977

Enclosure

1 - Lloyd A. Bastian, Acting Director  
Security Programs Staff  
Office of Management and Finance

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_  
Asst. Dir.:  
Adm. Serv. \_\_\_\_\_  
Crim. Inv. \_\_\_\_\_  
Fin. & Pers. \_\_\_\_\_  
Ident. \_\_\_\_\_  
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Legal Coun. \_\_\_\_\_  
Plan. & Insp. \_\_\_\_\_  
Rec. Mgnt. \_\_\_\_\_  
Spec. Inv. \_\_\_\_\_  
Tech. Serv. \_\_\_\_\_  
Training \_\_\_\_\_  
Public Affs. Off. \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_  
Director's Sec'y \_\_\_\_\_

MAILED 14

JUN 2 1977

FBI

SEE NOTE PAGE 2

DATE 3-3-82

MAIL ROOM ☒

TELETYPE UNIT ☐



Chairman  
Department Review Committee

(b)(6)  
(7)(c)

NOTE:

Memorandum from [REDACTED] to Mr. Decker, dated 5/5/77, was approved initiating this internal investigation which is being accomplished at the specific directions of the Chairman of the Department Review Committee in accordance with 28 CFR 17, which requires information be furnished to the Department Review Committee relating to unauthorized disclosures of classified information.

APPROVED: _____	Adm. Serv. _____	Legal Coun. _____
Director _____	Crim. Inv. _____	Plan. & Insp. _____
Assoc. Dir. _____	Fin. & Pers. _____	Rec. Mgmt. _____
Dep. AD Adm. _____	Ident. _____	Spec. Inv. _____
Dep. AD Inv. _____	Intell. _____	Tech. Servs. _____
	Laboratory _____	Training _____
		Public Affs. Off. _____

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. Decker

DATE: 6/2/77

FROM :

SUBJECT: SPECIAL AGENT

MILWAUKEE DIVISION (PROJECT ONSLAUGHT)  
REQUEST TO APPEAR BEFORE FEDERAL GRAND JURY,  
WASHINGTON, D. C.

## PURPOSE:

To advise of the request by Departmental Attorney Paul Hoeber for captioned Special Agent to appear before the Federal Grand Jury and to obtain release from employment agreement, to allow him to consult with a personal attorney and to testify before the Grand Jury.

## DETAILS:

On 6/1/77, Special Agent [REDACTED] of the Milwaukee Division, who is on temporary duty in the Freedom of Information-Privacy Acts Branch with Project Onslaught, was contacted by Departmental Attorney Hoeber. Hoeber advised him that his presence before the Federal Grand Jury presently sitting in Washington, D. C. was desired on Friday, 6/3/77.

SA [REDACTED] has notified his SAC of the above as well as his response to the Department Attorney that he would appear.

SA [REDACTED] has retained a personal counsel in Washington, D. C., who is [REDACTED] has represented FBI personnel in this matter and is on the approved list. (HAS CLEARANCE)

In view of the short deadline, SA [REDACTED] will assume that he has the Director's approval releasing him from his employment agreement and authorizing him to discuss FBI investigative matters with both his personal attorney and the Grand Jury.

1 - Legal Counsel

(4)

CONTINUED - OVER



17 JUN 1977

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Memorandum to Mr. Decker

RE [REDACTED] Special Agent

Request to Appear Before Federal Grand Jury

SA [REDACTED] has requested that no record of the above be made in his personnel file. This memorandum should be filed in the Surreptitious Entries investigative file and any necessary indexing made to that file.

RECOMMENDATION:

None, for information.

*J/son*

*OK*

*at*

UNITED STATES GOVERNMENT

# Memorandum

TO : MR. SKAGGS *JS*

DATE: 6-24-77

FROM : R. E. LONG *AL*

SUBJECT: SURREPTITIOUS ENTRY

**ALL**

*Civil Rights Division*

**BK6, G/KC**

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_  
Asst. Dir.:  
Adm. Serv. \_\_\_\_\_  
Crim. Inv. \_\_\_\_\_  
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Legal Coun. \_\_\_\_\_  
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Spec. Inv. \_\_\_\_\_  
Tech. Servs. \_\_\_\_\_  
Training \_\_\_\_\_  
Public Affs. Off. \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_  
Director's Sec'y \_\_\_\_\_

This is to advise that authority is hereby given for [REDACTED] Administrative Services Division, to work in an overtime capacity for one hour beginning at 8:00 am. and ending 9:00 a. m. for an indefinite period of time.

This time spent is very necessary due to the nature of the investigation.

REL [REDACTED]

(5)

- 1 - Mr. Bassett (Attn: Mr. Keehan)
- 1 - Mr. Midkiff
- 1 - Mr. Skaggs
- 1 - Personnel file of [REDACTED]

REC-45

SI-115

62-117146-107

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 3-3-82

BY SP4 JRM/cal

2 JUN 30 1977



97 JUL 13 1977

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FBI

## TRANSMIT VIA:

- ☐ Teletype  
☐ Facsimile  
☒ Airtel

## PRECEDENCE:

- ☐ Immediate  
☐ Priority  
☐ Routine

## CLASSIFICATION:

- ☐ TOP SECRET  
☐ SECRET  
☐ CONFIDENTIAL  
☐ E F T O  
☐ CLEAR

Date 6/16/77

Assoc. Dir.  
 Asst. Dir. Adm.  
 Asst. Dir. Inv.  
 Asst. Dir. Legal Coun.  
 Asst. Dir. Plan. & Insp.  
 Asst. Dir. Rec. Mgmt.  
 Asst. Dir. Tech. Serv.  
 Asst. Dir. Training  
 Public Affs. Off.  
 Telephone Rm.  
 Director's Sec'y

TO: DIRECTOR, FBI

FROM: SAC, OMAHA (67-274)

ADMINISTRATIVE INQUIRY  
 SURREPTITIOUS ENTRIES

SA [REDACTED] received telephone call on 6/16/77, from person identifying himself as RICK JOHNSTON, Trial Attorney, Criminal Section, Civil Rights Division, Department of Justice, (202) 739-3858, requesting an interview in his office on 6/20/77, for the purpose of reviewing testimony given in the Fall of 1976. He also added that testimony might be required before a Federal Grand Jury.

SA [REDACTED] will appear as requested. It is requested the Bureau waive the employment agreement for purposes of this interview. SA [REDACTED] to depart Lincoln, Nebraska, on 6/19/77, on United Flight 934 at 12:10 p.m., arriving Chicago, Illinois, at 1:31 p.m. and will arrive Washington National Airport on the same date on flight 776 at 7:47 p.m.

REC-71

62-117161-108

9 JUN 25 1977

(2) - Bureau  
 1 - Omaha

(3)

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 3-3-82 BY SP4 JRM/cal

Approved: [Signature]

Transmitted [Signature]

(Number)

(Time)

Per [Signature]

70 JUL 26 1977

RCO 058 1962030Z

PP HI MP

DE RC

P 152030Z JULY 77

FM RAPID CITY (62-0)

TO DIRECTOR

MINNEAPOLIS (SAC PERSONAL ATTENTION)

BT

CLEAR

ATTENTION OFFICE OF LEGAL COUNSEL

SA [REDACTED] UNITED STATES VERSES JOHN DOE;  
MISCELLANEOUS INFORMATION CONCERNING.

RE RAPID CITY TELETYPE TO DIRECTOR DATED JULY 15,  
1977.

ON JULY 15, 1977, SA [REDACTED] CONTACTED  
ATTORNEY [REDACTED] AND WAS ADVISED THAT

[REDACTED] HAD DISCUSSED THIS MATTER WITH DEPARTMENTAL  
ATTORNEY STEVEN HORN AND THAT SA [REDACTED] PRESENCE WOULD  
NOT BE REQUIRED ON MONDAY, JULY 18, 1977, AND THAT A  
NEW SUBPOENA WOULD BE ISSUED.

BT

ST-126

REC-26

AUG 4 1977

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-3-82 BY SP4 JRM/cal

79 AUG 12 1977

Assoc. Dir.	
Dep. AD Adm.	
Dep. AD Inv.	
Asst. Dir.:	
Adm. Serv.	
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Off. Cong. & Public Affs.	
Rec. Mgmt.	
Tech. Serv.	
Training	

*m/20*

ALL

(6/3)

(6/6)

(GKC)

No longer at FBI  
returned to MP 6/2  
SFS

62 - 10

LEGAL COUNSEL

WFO005 1941914Z

PP MI

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P 131914Z JUL 77

FM WASHINGTON FIELD (62-0) (P)

TO DIRECTOR PRIORITY

BT

EFTO

ATTENTION LEGAL COUNSEL

WASHINGTON FIELD OFFICE AGENTS SUBPOENAED TO APPEAR BEFORE  
GRAND JURY, WASHINGTON, D.C., CONCERNING SURREPTITIOUS  
ENTRIES

A NUMBER OF SPECIAL AGENTS OF THE WASHINGTON FIELD  
OFFICE HAVE BEEN SUBPOENAED, OR WILL BE SUBPOENAED IN THE  
IMMEDIATE FUTURE, TO APPEAR BEFORE FEDERAL GRAND JURY  
SITTING IN WASHINGTON, D.C., INCLUDING SPECIAL AGENTS

REC-93 62-117166-110

AND

SI-126

ATTORNEY [REDACTED] WITH THE FIRM OF

[REDACTED] WASHINGTON, D.C., COUNSEL FOR SPECIAL AGENTS

[REDACTED] AND [REDACTED] HAS ADVISED THAT BEFORE TESTIFYING  
CONCERNING MATTERS OF A CONFIDENTIAL AND OR CLASSIFIED

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 3-3-82

BY SP4 JRM/COB PERS. FILE

54 AUG 15 1977

293

JUL 13 3 23 PM '77

RECEIVED  
FEDERAL BUREAU  
OF INVESTIGATION  
COMMUNICATIONS SECTION

*Civil Rights Unit  
In Reputation Unit*

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_  
Asst. Dir.: \_\_\_\_\_  
Adm. Serv. \_\_\_\_\_  
Crim. Inv. \_\_\_\_\_  
Fin. & Pers. \_\_\_\_\_  
Ident. \_\_\_\_\_  
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Plan. & Insp. \_\_\_\_\_  
Rec. Mgmt. \_\_\_\_\_  
Spec. Inv. \_\_\_\_\_  
Tech. Serv. \_\_\_\_\_  
Training \_\_\_\_\_  
Public Affs. Off. \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_  
Director's Sec'y \_\_\_\_\_

**ALL**

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2 JUL 19 1977

**LEGAL COUNSEL**  
**WFO**

PAGE TWO WF 62-0 E F T O

NATURE BEFORE AN UNCLEARED GRAND JURY, IT WOULD BE NECESSARY FOR THESE SPECIAL AGENTS TO HAVE WRITTEN AUTHORIZATION RELEASING THEM FROM THEIR OBLIGATIONS UNDER THE FORM FD 291, EMPLOYMENT AGREEMENT, TITLE 28, SECTION 17.3, UNITED STATES CODE, AND EXECUTIVE ORDER 11652, DATED MARCH 8, 1972, WHICH STATES THAT AGENTS CANNOT REVEAL CLASSIFIED MATERIAL TO UNCLEARED PERSONS.

BUREAU IS REQUESTED TO PROVIDE THE AGENTS MENTIONED ABOVE WITH WRITTEN INSTRUCTIONS REGARDING THIS MATTER.  
BT.

